

85TH GENERAL ASSEMBLY

REGULAR SESSION

June 30, 1988

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...hour of nine o'clock having arrived, the Senate will come to order. Our prayer today will be by the Reverend Duane Shoemaker of Carterville First Baptist Church in Carterville. Will all our guests please rise.

REVEREND DUANE SHOEMAKER:

(Prayer given by Reverend Shoemaker)

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...of the Journal. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President...(machine cutoff)...you, Mr. President and members of the Senate. I move that reading and approval of the Journals of Thursday, June 16th; Friday, June 17th; Tuesday, June 21st; Wednesday, June 22nd; Thursday, June 23rd; Friday, June 24th; Monday, June 27th; Tuesday, June 28th and Wednesday, June 29th, in the year 1968, be postponed pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...heard the motion placed by Senator Vadalabene. Are...if there any corrections or changes. Hearing none, those in favor of the option...adoption indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. We will begin...Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to-wit:

House Bill 3024 with Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Secretary's Desk. Resolutions.

SECRETARY:

Senate Resolution 1284 offered by Senator Vadalabene.

It's congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar. (Machine cutoff)...morning we will start on top of page 6 on Secretary's Desk concurrences. We have Senate Bill...we have Senate Bill 1893, Senator Zito. We have Senate Bill 2141, Senator Jones. Senator Zito on concurrences on Senate Bill 1893. Senate Bill 2141, Senator Jones. We'll move on to...on the Secretary's Desk for nonconcurrence. We have House Bill 1072, Senator Jacobs. House Bill 1560, Senator Karpziel. House Bill 3085, we'll...with leave of the Body, we'll get back to that in a few minutes. House Bill 3150, Senator Carroll. House Bill 3162, Senator Carroll. House Bill 3199, Senator Etheredge. House Bill 3203, Senator Kustra. House Bill 3204, Senator Mahar. House Bill 3205, Senator Dunn. House Bill 3227, Senator Watson. House Bill 3228, Senator Mahar. House Bill 3231, Senator Watson. House Bill 3233, Senator Hawkinson. Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 3233.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I would move that the Senate refuse to recede from Senate amendment and ask that a committee of conference be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no opposition, the Senate will refuse to recede from Senate Amendment No. 1 to House Bill 3233 and ask a conference committee be...be appointed. Senate Bill 3237, Senator Weaver. (Machine cutoff)...Weaver.

SECRETARY:

Senate Amendments...Senate Amendments 1, 2 and 3 to House

Bill 3237.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Mr. President, I'd move that we refuse to recede on Senate Amendments No. 1, 2 and 3 to House Bill 3237.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard Senator Weaver. Is there discussion? Senator Weaver moves that we...Senate refuse to recede from House Amendments No. 1, 2 and 3 to House Bill 3237 and that a conference committee be appointed. The motion carries and the Secretary shall so inform the House. Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Seeking leave to handle 3240 for Senator Etheredge.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, do you wish to handle the rest of those bills too?

SENATOR WEAVER:

Yeah.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We can go back all the way to 3199 too. Senator Weaver seeks leave of the Body to handle the appropriation bills on the...nonconcurrency and we will start with House Bill 3199. Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 3199.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

I would move that the Senate refuse to recede from Senate Amendments No. 1 and 2 to House Bill 3199.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver moves that the Senate refuse to recede

from Senate Amendments 1 and 2 to House Bill 3199 and that a conference committee be reported. Heard the motion. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. We have House Bill 3204...Senator Weaver. Read...Madam Secretary.

SECRETARY:

Senate Amendment No. 2 to House Bill 3204...pardon me, that's Senate Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

I would move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 3204.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? If not, those in favor indicate by saying Aye. Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Seeking leave on 3203.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, I think that's one where you're going to recede. Well, let's finish this one first, 3204. Senator Weaver moves that the Senate refuse to recede from Senate Amendment No. 1. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. (Machine cutoff)...on 3203. Madam Secretary.

SECRETARY:

Senate Amendment No. 2 to House Bill 3203.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

I would move that we refuse to recede with...on Senate

Amendment No. 2 to House Bill 3203.

PRESIDING OFFICER: (SENATOR SAVICKAS)

3203, take it out of the record. House Bill 3205. Madam Secretary.

SECRETARY:

Senate Amendments 1, 2, 3, 4 and 5 to House Bill 3205.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Mr. President, I would move that we refuse to recede on Senate Amendments No. 1, 2, 3, 4 and 5 to House Bill 2205.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 3227, Senator...Madam Secretary.

SECRETARY:

Senate Amendments 1, 2, 3 and 4 to House Bill 3227.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Mr. President, I would move that the Senate refuse to recede on House...or Amendments No. 1, 2, 3 and 4 on House Bill 3227.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 3228. Madam Secretary.

SECRETARY:

Senate Amendments 1, 2 and 3 to House Bill 3228.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. I would move...refuse to recede from Senate Amendments 1, 2 and 3 to House Bill 3228 and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 3231, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 3231.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

I would move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 3231.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 3240, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 3240.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 3240.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 3242, Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 3242.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. I would move we...the Senate refuse to recede from Senate Amendment No. 1 to 3242 and I would request a conference committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. (Machine cutoff)...Bill 3273, Madam Secretary.

SECRETARY:

Senate Amendments 1, 2 and 3 to House Bill...pardon me, 3273.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. I would request to handle this in the absence of Senator Demuzio who is at the school reform meeting.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard Senator Poshard's motion. Is there discussion? If not, hearing no objection, leave is granted. Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. Mr. President, I would like to refuse to recede from Amendments 1, 2 and 3 and request a conference committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The

Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill...House Bill...3846, Senator Carroll. Senator D'Arco, do you want to handle that for Senator Carroll?

SENATOR D'ARCO:

...where is it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

3846 on page 8.

SENATOR D'ARCO:

3846.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes.

SENATOR D'ARCO:

We refuse to recede...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes.

SENATOR D'ARCO:

...from Senate Amendment No. 1 and ask for a conference committee.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Madam Secretary, do you want to put it in the record.

SECRETARY:

Senate Amendment No. 1 to House Bill 3846.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco sought leave to handle House Bill 3846 for Senator Carroll. Hearing no objection, leave is granted. Senator D'Arco now moves that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 3846 and that a conference committee be appointed. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 3857, Senator Schaffer. Madam...House Bill 3914, Madam Secretary.

SECRETARY:



Senate Amendment No. 1 to House Bill 3914.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco seeks leave of the Body to handle House Bill 3914. Hearing no objection, leave is granted. Senator D'Arco.

SENATOR D'ARCO:

...Mr. President, we refuse to recede on Senate Amendment No. 1 and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. The Secretary shall so inform the House. House Joint...House Joint Resolution...with leave, we'll go back to House Bill 3085. Madam Secretary.

SECRETARY:

(Machine cutoff)...Amendments 4 and 6 to House Bill 3085.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco seeks leave of the Body to handle House Bill 3085. Hearing no objection, leave is granted. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I refuse to recede on Senate Amendments 4 and 6 and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing...hearing no discussion, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator D'Arco, we have the next two bills...if leave is granted, Senator D'Arco wishes to handle House Bill 3150 and 3162 for Senator Carroll. Hearing no objection, leave is granted. Madam Secretary.

SECRETARY:

Senate Amendments 1, 2 and 3 to House Bill 3150.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I refuse to recede on Senate Amendments 1, 2 and 3 and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? If not, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Madam Secretary, on 3162.

SECRETARY:

Senate Amendment No. 1 to House Bill 3162.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I refuse to recede on Senate Amendment No. 1 and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Hearing no discussion, those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. (Machine cutoff)...Jacobs on 1072. No. (Machine cutoff)...Senators, while we're waiting for some of the paper work to flow over here, why don't we just stand in recess for a few minutes and we'll get back to the order of business a little later.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Senate will convene at two o'clock...the Senate will convene at two o'clock. All those within the sound of my

voice, two o'clock, the Senate will convene.

PRESIDENT:

(Machine cutoff)...Severns, for what purpose do you arise?

SENATOR SEVERNS:

Thank you, Mr. President. I rise for a point of personal privilege.

PRESIDENT:

State your point, please.

SENATOR SEVERNS:

It's our honor today to have in the visitors' gallery seventy-five cadets from the American Legion Youth Police Program. These young people are from all over the state...and have been participating in a police cadet training program at the Illinois State Police Academy. The program coordinator is Master...Sergeant Mike Giacomelli of the Illinois State Police. Among the cadets today is Jennifer Pokejoy, the niece of Carol Higgason and Brody Ford from Decatur. I would ask that the cadets stand and be recognized by the Senate and that we join them in...honoring them today.

PRESIDENT:

Will...will our guests please stand and be recognized. Welcome to Springfield. Messages from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

Senate Bill 1257 with House Amendment No. 1.

I have a like Message on Senate Bill 1534 with House Amendment No. 1.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate

that the House of Representatives has refused to...to recede from their Amendments 1, 2, 3 and 4 to a bill of the following title, to-wit:

Senate Bill 1581.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference to consist of five members from each House to consider the differences between the two Houses in regard to the amendments to the bill.

I have...a Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

Senate Joint Resolution 136 with House Amendment 1.

I have a like Message on Senate Joint Resolution 139 with House Amendment 1.

PRESIDENT:

(Machine cutoff)...1581, Madam Secretary, Senator Joyce will accede to the request of the House that a conference committee be appointed. Resolutions.

SECRETARY:

Senate Resolution 1285 offered by Senators O'Daniel, President Rock and all members.

Senate Resolution 1286 offered by Senator Dudycz.

Senate Resolution 1287 offered by Senator Vadalabene.

Senate Resolution 1288 offered by Senator Severns.

Senate Resolutions 1289 and 1290 offered by Senator Severns.

Senate Resolution 1291 offered by Senators Kelly and Jeremiah Joyce.

Senate Resolution 1292 offered by Senator Topinka.

Senate Resolution 1293 offered by President Rock and

they're all congratulatory.

Senate Resolution 1294 offered by Senator Luft, it's a death resolution.

PRESIDENT:

Consent Calendar. (Machine cutoff)...turn to page 8 on the regular Calendar. Top of page 8 on the Order of Secretary's Desk Nonconcurrence, House Bill 3705. Page 8 on the Calendar on the Order of Secretary's Desk Nonconcurrence is House Bill 3705. Madam Secretary.

SECRETARY:

Senate Amendments 1, 2 and 3 to House Bill 3705.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I would ask that the Senate not recede from Senate Amendments 1, 2 and 3 and that a conference committee be...be appointed.

PRESIDENT:

All right. Senator Savickas has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 3705 and that a conference committee be appointed. Discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. (Machine cutoff)...two supplemental Calendars have been distributed and there's a third on the way, so I suggest at this time that we commence. On the Order of Senate Calendar Supplemental No. 1 Secretary's Desk Nonconcurrence is House Bill 3024. Madam Secretary.

SECRETARY:

Senate Amendment No. 1 to House Bill 3024.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I move that we not recede from Senate Amendment No. 1 to House Bill 3024 and request a conference committee.

PRESIDENT:

All right. Senator Jones has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 3024 and that a conference committee be appointed. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. (Machine cutoff)...the Order of Conference Committee Reports, House Bill 2993, Senator Zito. On the Order of Conference Committee Reports. Senator Zito.

SENATOR ZITO:

Yes, Mr. President, I ask leave of the Body to return to this order of business. We're not prepared to present this bill at this time.

PRESIDENT:

Sunday at noon. 3297, Senator Jacobs. 3653, Senator Etheredge. 4005, Senator Watson. 1842, Senator Degnan.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...the order of business today we have Senate Calendar...our Supplemental No. 2...No. 2. We have Senate Bill 1257, Senator Rock. Madam Secretary.

SECRETARY:

House Amendment No. 1 to Senate Bill 1257.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand and ask that the House...or the Senate concur with House Amendment No. 1 to Senate Bill 1257. Senate Bill 1257 is an amendment to the Illinois Public Labor Relations Act. The House amendment exempts the General

Assembly from the provisions of that Act and I would seek a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, Senator...just a minute. The Chicago Tribune, Chuck Berman, has requested permission to photograph. Is there any objection? Leave is granted. On that question, we have discussion. Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will yield.

SENATOR DAVIDSON:

Senator Rock, I...I'm sorry, due to the noise did not get your total explanation. What does this do about the General Assembly or does not do?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Senate Bill 1257 is an amendment to the Illinois Public Labor Relations Act. House Amendment No. 1 exempts the General Assembly from the provisions of that Act and I seek a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

May...maybe it's just because you've been sitting around all day and some of us haven't had as much to do as some of you others but, if I understand this correctly, I'm...I'm, you know, wondering if, in fact, we ought to be doing this. I know there's some discussion at the...at the federal level that...Congress continually exempts itself from the application of all kinds of things like the civil rights laws and...and so forth and, yet, they're very good at telling...telling everybody else how they ought to live, and

I just wondered why...why we ought to be exempt in this case if we're...if we're mandating other public bodies to do the same thing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Keats.

SENATOR KEATS:

...just a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR KEATS:

Senator Rock, following up the comments of Senator Barkhausen, could you explain to us why it is we are exempting ourselves from the law that applies to everyone else in the entire state?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, I'm...I'm sure you know there has been some discussion about the equality of the branches of government. The court...the Supreme Court has said that they will accept collective bargaining for public employees. The Executive Branch has done it already by Executive Order and what we are saying is the General Assembly does not wish to be involved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I concur with Senator Rock completely. This is very important to the orderly running of the General Assembly. We all ought to vote Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the



AB 1534  
concurance

Senate. If I read this correctly, it makes it where that there's no doubt that the Executive Branch will not be able to determine the...policies and practice of...of the legislative labor relation. Why should we not do as this bill said? It'd be stupid for us to sit here and allow something like this. Everybody here ought to be voting Aye on this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think the amendment speaks for itself. It is something to retain the integrity of the General Assembly and I would...I would move that the Senate concur with House Amendment No. 1 to Senate Bill 1257.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock moves to concur in House Amendment No. 1 to Senate Bill 1257. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? I mean, Senator Demuzio, if you have nothing to do, would you press my button there? Have all voted who wish? Take the record. On that question, the Yeas are 48, the Nays are 5, 3 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1257 and the bill having received the required constitutional majority is declared passed. Senate Bill 1534, Senator Rock. Madam Secretary.

SECRETARY:

(Machine cutoff)...Amendment No. 1 to Senate Bill 1534.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand and move to concur with House Amendment No.

1 to Senate Bill 1534. 1534 was the bill that passed this Senate by an overwhelming majority earlier on this Session and House Amendment No. 1 is the product of literally weeks of negotiation among the General Assembly leadership, the administration and the Illinois Tax Increment Financing Association. Amendment No. 1 literally rewrites the bill but keeps those elements that the Senate thought was important. It reduces the state's fiscal liability in state sales and utility tax...TIF Program. It phases out over a period of years the state participation in the program. It imposes restrictions upon a municipality's use of its special allocation fund into which TIF...TIF monies are deposited, and the creation of that special fund is something that was of utmost importance to those municipalities that have a TIF. It establishes two nine-month periods for calculating the sales tax increment for Fiscal '90 and '91, and it establishes procedures and standards for the Department of Revenue's use in reviewing the qualifications of existing and future TIF districts. I think this is a worthy work product of the General Assembly and I would solicit your Aye vote in my motion to concur with House Amendment No. 1 to Senate Bill 1534.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WATSON:

Senator, I've been receiving some calls from the TIF districts in...in my district and they claim that they have some concerns about the population threshold here, and I had visited with you before and we had talked about this being some sort of an agreed process here and I don't...they're not

sharing that agreement at this point. Can you explain to me why we have this population figure in here and what advantage is that...or disadvantage is that to the communities that would be involved?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes, Senator Watson, frankly, I share your concern. As the bill left the Senate we moved the threshold from ten to twelve thousand to accommodate a couple of small communities...a number of small communities insofar as the percentage of the area that could be included within a TIF district. The House after, again, weeks of negotiation made some accommodation but yet placed that restriction on municipalities with a population of less than twelve thousand. It said no more than thirty-five percent of the land area of the municipality can be included in a TIF district. I truly understand the problem and there are some small towns that will literally have to redraw their TIF or, I suspect, come back next year and ask us for some relief. Coming from the area I come from, I have driven through some of these small towns and, frankly, their downtown district...or their downtown area is, in fact, greater than thirty-five percent of the land area of the whole municipality. I understand the concern. I expressed my concern to the House negotiators and I think it's something we'll have to deal with in the future. I admit it is one fault with this bill but it...it...it does...it does not really impact on that many when you look at the entire program.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

(Machine cutoff)...unfortunate part about that is those that it impacts are in my district. So if you share

that...that concern, well, then why not let...send this to a conference committee. We're going to have time, it looks like we'll probably be here tomorrow. So if that's the case, we've got time to have a conference committee, get this thing ironed out and get the...the population figure taken out. I...I...I appreciate your concern for the...the smaller communities and the fact that you're quite correct, many of the areas that are involved here, the downtown area and those...those areas that are considered TIF certainly make up more than thirty-five percent of the population. I honestly don't know why the population figure is in there. Is there a...a...a rational reason of why that population threshold is there? That...that's my question at this point. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, it's there as a cutoff. As you remember that when the bill came out of the Senate, it said any town under twelve thousand wasn't included in this restriction at all, and the only accommodation the House made was they said instead of twenty-five percent of the area, we'll make it thirty-five percent of the area.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

All right. But why...why a population in there at all? What...what is the reason for putting population figures in...in this legislation? Why not just take that out altogether?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, again,...as the negotiations started, the TIF Association has within its membership a number of communities

some of which are under twelve thousand and the figure they gave me was admittedly arbitrary but they said, if you are under twelve thousand, you're not going to...have any of these land restrictions at all. The House in conjunction with the Department of Revenue and in conjunction with the administration said, if you're going to have a land restriction...a percentage restriction, it ought to apply to everybody. So if your town is less than twelve thousand, it's thirty-five percent; if you're over twelve thousand, it's twenty-five percent. That was the rationale of the House.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Do you pursue then to concur and not necessarily go to a conference committee and ask for this provision to be taken out?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Well, all I...all I can say to you is, no. I...I do not intend to ask for a conference committee. The...the single, most important thing on the part of the TIF districts was the special earmarked fund so that they would be sure each and every fiscal year they would get their money. On the flipside of that chart, the single, most important thing to the administration and the Department of Revenue and the Bureau of the Budget and the Governor's Office was that the state's participation would be limited and gradually phased out. Those were the two key points in all these negotiations; both of those have been accommodated and it was an attempt to accommodate the smaller towns by setting a different percentage limit to recognize that smaller towns, in fact, their downtown area is small. This is not the way it

came out of the Senate, but the fact of the matter is, I have been requested by the House sponsor and the House negotiators not to go to conference and the Governor has assured me he will sign it in its present form. I'm afraid if we go to conference, we're going to lose it, and I don't want to lose it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. To Senator Watson and all of you that are worried about your TIF districts, let me...let me explain to you that we are fortunate, indeed, to have what we have before us. There were those that wanted to eliminate TIFS altogether; as a matter of fact, the accommodation was made to smaller communities by raising the threshold from ten thousand to twelve thousand and from extending from twenty-five to thirty-five percent what we were talking about. There are many concessions in here by all, and as Senator Rock said, the designated fund seemed to be a major concession by the administration. Also, there was an attempt to reduce the bonds from twenty years down to ten years and also to restrict existing bonds, but the point that I'd like to make is that this bill was signed off by the TIF organization. There were a number of representatives here, four, five, seven; there were mayors here from all the communities. I don't want to imply that there are not losers because, in fact, I think there are losers and there are winners but overall I think the TIF program could be the winner and I would ask that we respect Senator Rock's request and concur with this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, several times...first of all, I stand in support of what you're trying to do...the general concept of what you're trying to do and I understand it, but in speaking to some of my small communities about the fact that this organization...Association of TIF Districts took a position on the bill, their response was, we don't know anything about such an organization. So I think some of the small towns maybe aren't tuned in to what...to what's going on here and, frankly, I'm not exactly tuned in either. Can you tell me one more time...and I'm sorry...I apologize for this but can you tell me one more time how this bill would affect a small community of, say, four or five thousand who already has a TIF district in operation, I don't know what their...what the percentage of their downtown TIF district is to the total area of the community, I just don't know. Can you tell me how we are affecting a community like that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Yes, they are affected in a couple of respects and again we have made the cutoff at twelve thousand to accommodate some of the smaller towns, smaller districts. What we are saying in an attempt to limit the state's participation and liability, we are saying that if you have a town of less than twelve thousand, no more than thirty-five percent of the...of the sales tax generated shall be included within a TIF. So if you've got a one-block downtown area, you...you're going to be in trouble under this and the Department of Revenue is going to go out and perhaps have to redraw your TIF district, and we are saying that if you are a town of less than twelve thousand, no more than thirty percent of the property value

shall be included in a TIF, and we are saying that no more than thirty-five percent of the land area if you're less than twelve thousand shall be included in a TIF. The idea is that the Department of Revenue and the Governor's Office felt very strongly that some small town cannot declare its whole town a TIF district. That's the idea.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Senator Watson, they're not all in your area. I...I just...have...guess a comment to make. I...I agree with what Senator Luft has...indicated and...and what Senator Rock has basically indicated in regards to the necessity of getting this bill, I think that the good overrides the bad. However, I have two definite problems. Number one, there's some language in there that refers to a...prior to '86, whenever the sales tax window was only open the last time from September of '86 to December of '86, and to put it prior to '86, I think really puts a crimp on some of the smaller communities. Number two, I have a...a...a city who is vying for an NAS car track who has done very well on the...on the private fund collection. The land mass doesn't bother me but the thirty-five percent max on the sales tax does bother me. Here's a community that probably has six hundred dollars in sales tax currently and with the NAS car that was part of their...their...their wedge is to use the TIF dollars and...now this would mean that we'd be able to use about three hundred dollars toward the abatement of that debt, if I read this properly. Is that correct, Senator Rock?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

...I think your reading is correct, yes.



PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

I would concur with Senator Watson. I would like to see it come back next Session and get some of these...little things cleared up. I understand the intent...fully understand the intent but I think there's some specific problems that I know I would like to address.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DAVIDSON:

Senator Rock, I've been led to believe by information that I received by phone that existing TIF districts such as Springfield, and I don't know about other towns but particularly Springfield, that this would...bill as it is drafted would harm their TIF income. Is that yes or a no?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

The answer is, yes. There are some TIF districts that will win under this proposal; there are some few who will get less money, they will lose under this proposal. One of them happens to be Oak Park. Oak Park loses under this proposal, Springfield loses a little bit, Highland Park loses a little bit. What they gain, however, is what they have wanted and that is a special fund for the TIF money so that they will be assured from year to year that the money will, in fact, be available to them. It's a trade-off. Anytime you compromise there are winners and there are losers. There are some losers, I admit that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well,...are you saying that the special fund is then not going to be subject to the appropriation process by the Legislature? The money is going to be there so that the TIF district governmental bodies will receive that or monies from that special fund without any action from us?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

No, I am not saying that, it is subject to appropriation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

And if we don't appropriate the money, they haven't gained a thing, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

If we don't appropriate the money for schools, the schools don't get any money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

I understand that clearly. I just want to get a matter of record in relation to this item. If we don't appropriate the money, they get no money in that special fund, correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

If we don't appropriate money for 4-H, 4-H doesn't get any money even though they're part of the Agricultural Premium Fund which is a dedicated fund. The answer is, yes, if

we don't appropriate, they don't get any money.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The tax increment financing tool has been, I think, one of the best, probably the most innovative program that we have afforded our municipalities the right to use. The Department of Revenue and the Governor's Office, frankly, were concerned about some of the abuses where a town like Highland Park really wasn't talking about redeveloping a blighted area, they put their downtown district in a TIF district and so use the law to their benefit. Towns like that are going to lose something under this because the Department of Revenue now has some standards by which to judge a TIF, and we have said, according to certain percentages that you can't do that any more, you can't have your whole downtown area or your whole town in a TIF district to take advantage of the state's portion of this program and we are phasing out the state's liability under this program. The program is a good one, has been of substantial benefit to the municipalities of Illinois. This bill is at their request to make sure that the program continues to give them sound footing when they go to the bond market and yet to say to the Department of Revenue, no more abuses, we want a strictly controlled program so that we will know each and every year what the state's liability is. I think the good outweighs some of the losses and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1534. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 44, the Nays are 8, 3 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1534 and the bill having received the required constitutional majority is declared passed. Senate Calendar Supplemental No. 2, we have Conference Committee Reports. House Bill 3810, Senator Hawkinson. House Bill 4116, Senator Poshard...or Marovitz...Senator Marovitz. (Machine cut-off)...Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Wait...just a moment. Madam Secretary.

SECRETARY:

House...First Conference Committee Report on House Bill 4116.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Marovitz.

SENATOR MAROVITZ:

I would move that the Senate adopt Conference Committee Report No. 1 to House Bill 4116. This allows a finding of unfitness after two findings of physical abuse if the most recent finding was sustained by clear and convincing evidence. It allows attorneys' fees to be assessed in paternity cases just as they are in dissolution of marriage cases. In...in custody proceedings...child custody proceedings, it allows the court to consider acts of violence...to consider acts of violence even though those acts of violence may not have been in the child's presence, and that is a very important part of this bill, and it adds provisions regarding the court's discretion to award gifts from intestate estate of a disabled persons. I would ask for the adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill...on House Bill 4116. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are 3, 1 voting Present. The Senate does adopt Conference Committee Report on House Bill 4116 and the bill having received the required constitutional majority is declared passed. We'll now return back to Supplemental No. 1...Senate Calendar Supplemental No. 1. On the Secretary's Desk for nonconcurrency we have House Bill 3024, Senator Jones. We have Conference Committee Reports, we have House Bill 2993, Senator Zito. Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 2993.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President and members of the Senate. I would move that we adopt Conference Committee Report No. 1 to House Bill 2993. If you remember, about a week ago we passed an important amendment on to House Bill 2993 which allowed for the public to participate in the ownership of the Chicago White Sox. Since that time it has become very apparent that there seems to be little movement or little support in this Chamber or the other Chamber for the other plan to provide the necessary dollars so that the Sox may consummate their deal of building a stadium in the like. I'd remind you, the thirty-eight that supported us, we appreciate it; for those of you who did not...over the last week we have worked with financial experts as it appeared more apparent that this piece of legislation was the only viable alternative and, quite honestly, the only plan that would make it to

passage stage. We wanted to make sure that it was ready if, in fact, it became law. After talking to financial experts and many, many of the secondary owners of the Chicago White Sox who are very interested in the proposal, we made several changes to absolutely ensure that the State of Illinois would not be involved in the ownership of the Chicago White Sox. More importantly, this plan, you remember, said that no state money would be used to adopt and to sell this stock so that no tax dollars would be used to consummate the deal. We've revised that and made the following changes in the conference committee. Number one, we completely remove the Department of Commerce and Community Affairs from the transaction, they will no longer handle the selling of the stock of the Chicago White Sox. We have moved that entire authority and that...the...the entire package will now be handled by the Illinois Sports'...Facility Authority. They will be in charge of putting the stock for...up for sale, collecting revenues and administering the program. If you remember, in the first...in the amendment that we adopted, my amendment, it called for sixty million dollars to be backed by Build Illinois funds. That, my friends, is gone. That is out of the bill. What it says now, and I said this in debate, that would have only kicked in in the last possible resort. Under Conference Committee Report No. 1 what will happen is as follows. We will offer the stocks available to the public. If, in fact, that stock is not being sold at the rate that we think it should be or we make our final purchase price, we would do immediately legislatively two things. Number one, there would be...the...the amendment called for a five percent cap any individual could own, but I told you in debate, we would adjust that. We have adjusted that in this Conference Committee Report to make sure that at eighteen months if stock is not rapidly selling, we would kick that up to ten percent, that cap, and at a two-year increment, it would go

to fifteen percent. We did that for two reasons. Number one, to make sure that that would be adjusted but, more importantly, some of the secondary owners have told me that they would still like to participate in the ownership of the Chicago White Sox. I did not want to deny them that opportunity and so that was included in the bill. I, frankly, had a problem with the sixty million dollars being backed by Build Illinois, although I honestly believe we'd never have to get into that situation. But if, in fact, we do, we have put a proviso in that would allow the Sports' Facility Authority to sell revenue bonds to make up for any surplus, again, no dollars committed by the State of Illinois. I think this plan is now workable. I think it is...could be totally acceptable where everybody wins...everybody wins, the owner win...owners win because they get fair market value for the team, the fans of the Chicago White Sox win because they for the first time in Chicago have an opportunity to participate in a publicly owned sports' club and we win, ladies and gentlemen, because we can go back to our constituents who have told us loud and clear to please help and cast an affirmative vote to keep the Chicago White Sox here in Illinois but don't spend one dime of taxpayers' money to do it, everybody wins. Conference Committee Report, I remind you, is the only piece of legislation that is currently pending, the only plan that is workable and I urge you to adopt Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Zito and myself and Senator Dudycz at great length a few weeks ago discussed this issue of the Chicago White Sox, and at that time, we stood by Senator Zito from the Republican side and were with him. I know today I am

standing right next to Senator Zito once again in saying that this is an issue that has grown strong support in our community and that even from the phone calls that we've received today the people don't really care if the owners move out of the State of Illinois, the key issue is that the White Sox stay in the State of Illinois. The other concern was taxpayers' dollars and Senator Zito has addressed those issues. It's a new idea but not that new because it worked with the Green Bay Packers. The community wanted to get involved and the community wants to keep the White Sox here and if buying a little stock in the White Sox will keep the White Sox here and keep them...constituents motivated and keep the White Sox here and the fans with the White Sox, Senator Zito had my support last week and I solicit everybody's Aye vote for this piece of legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR GEO-KARIS:

Is it my understanding in this Conference Report that revenue bonds will be issued to pay any expense that the Sports' Authority will incur, am I correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, yes, to answer your question, Senator. But, again, we needed a funding mechanism in order to ensure the owners that we were serious about the offer, but we think that's a much more feasible approach...after talking to some financial experts and some House members, we think that's a...a better approach for two reasons. Number one, the Sports'...Facility



Authority can work separate from the State of Illinois and, number two, we would not have to commit that Build Illinois money. So in answer, yes, but I...I think it's an improved version of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I believe this is the only vehicle to keep the White Sox alive in Illinois. There are about five thousand jobs involved by keeping the White Sox alive in Illinois. Number two, we don't have to spend the taxpayers' money because it's based on income that will be generated by revenue bonds, and number three,...since the Green Bay Packers are owned by the local community, why can't, we in Illinois, also if we wish buy stock to keep them here? At least it doesn't entail giving thirty million dollars of taxpayers' money as some proposals have been before. And I certainly support this bill, I think it's innovative and I think has the...it's a step in the right direction and I think it's worth trying and I urge a favorable consideration of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, I...I understand there are authorizations for three civic centers in this bill, is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Yes, that's correct, Senator. If you remember, the orig-

inal House Bill 2993 was the civic center authority bill, I put an amendment on. We have since changed sponsors, but that's correct, that language remains in the Conference Committee Report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

One of the problems with civic centers in Illinois is that we have established apparently about all the civic centers that our revenue stream will pay for. There's one in this particular bill of...of interest to me, I live in the Quad-city general area and would...would generally support that. Is there anything in this bill or anything to be approved this Session that you know about that would increase the revenue stream to pay off the bonds that must be paid to build these civic centers?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

My...my understanding was...and I'll...I'll defer to Senator Jacobs because, frankly, that's his section of the legislation, but my understanding is...the money is already available for these proposed civic center authorities and I'm not...I'm not sure of any increases.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. We have asked for...for...accompanying appropriations but I think it's important to...to remember that if the revenue stream...we're trying to get this on board. If the revenue stream cannot accept the bond payments, then the...the director does not have to issue the bonds, and I think that's an important key, but we want to get in the pecking order.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, that...that really doesn't answer my question. There...as I understand it...and I have communities who are in competition for civic center money that, you know, are ahead of this center but there is competition for what little civic center money is remaining. I think everybody agrees that...that...the Quad-city Center in...in particular that there isn't money, there is not a sufficient revenue stream. And my question is, does this bill do anything about creating the revenue stream that will be required to pay the bonds?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

We were told in Executive Appointments by a member of the Racing Board that the race receipts especially due to the off-track betting has increased by thirty percent. We only need a million dollars a year to abate these bond payments. So it's not as if we're asking for ten million dollars a year, we're asking for an authorization to increase by ten million dollars with a payoff of one million dollars. It's our feeling at the current time from the information we have received that there is sufficient funds available in that fund now to cover this.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, in all due respect, Senator, I...I don't know how so much money got in there so quick because just sixty days ago in conversations with the people who run the civic center program in Illinois, I was told that there was not sufficient money and there would not be a sufficient revenue stream. You know, I...I would like to see the Quad-cities get the

civic center. I guess I...I'm not willing to have them ace out those communities that are already in line, because those communities, you know, got their act together long before you folks did in the Quad-cities. So I don't want to see that happen but also if we're going to do this...if we're going to set this up, let's not kid the people in the Quad-cities into thinking we're going to fund a civic center if, in fact, there's not going to be revenues available to do it. So I...I guess I've made my point. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR DAVIDSON:

Senator Zito, my understanding is this new proposal...the bonds that you...purport to sell for forty years do not have the full faith and credit of the state or the City of Chicago. Is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Yes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

How do you expect to sell these unless you got an atrocious high interest rate by the bond rating companies when you don't have the full faith and credit of either the state or the City of Chicago? And the second part of that question is, how are they going to withstand the tax exempt classification under the new Federal Income Tax law?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Well, first of all, I...I believe it...the Sports' Facility Authority will still remain a unit of local government, so the tax exempt status will stay in place. Number two, I would assume that the bonds would be balanced by the property held by the authority which at some point is going to, I would assume, be a stadium.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR ZITO:

...and the value of the team.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, unless I've been misled, my understanding, there's no way that either the...the team itself or the franchise and/or the Chicago stadium is worth sixty million dollars in the present day market. And, also, are we going to look at a new facility in what's been floating around here for the last three months or are you...we remaining in Cominsky Park?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

My...my Conference Committee Report does not....does not address a new stadium authority at all. My Conference Committee Report talks solely with ownership of the team. It's...remains silent onto stadiums or stadium authorities as far as where they would play. I have very, very pointed views on where I'd like to see them play but...that...that is not a part of this bill and I won't address that at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, isn't the present Cominsky Stadium part and parcel of the value of the...for sixty million dollars of which you're buying the team for, isn't that real estate included along with the team?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

No, Senator, major league baseball and other financial experts have set the value...the value of the club price alone between fifty-five and sixty million dollars. My understanding is that excludes stadium.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, Ladies and Gentlemen of the Senate, I think you better take a long look at this. You're looking at...making a sports' facility that will have the authority to issue bonds for forty years and no bond rating company is going to make it triple A or any such thing. You're going to have a high rate of interest. You're going to wind up at the end of forty years this sixty million dollars will be some place between a hundred and twenty to hundred and sixty million dollars worth of cost. Now, I think we're about to buy a pig in the poke on this and I don't recommend that you concur with this amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would just like to go to the civic center provision one more time and echo some of the words of Senator Schuneman. I happen to have one of those communities that was part of the initial legislation and they have not been funded at this point, and I think that it's

unfair to many of the communities around this state that have been after the money for their civic centers and have three communities bumped up; and that may not be exactly what's happening, but as you read this conference report, that's as I read it and I have major concern about the civic center provision. I hope we could defeat this First Conference Committee Report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Friedland. Senator Friedland.

SENATOR FRIEDLAND:

(Machine cutoff)...you, Mr. President. Would the sponsor yield...

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR FRIEDLAND:

Senator Zito, it's been mentioned that the Green Bay Packers are owned in this fashion...this manner. Are there other professional sports teams, baseball or football, that are owned in this manner; if so, what ones are they...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito.

SENATOR ZITO:

Sure, Senator, there's...there's two categories; number one, the ones that are solely publicly owned and that's the Green Bay Packers, Pittsburg Pirates, Boston Celtics. You could also get into the second phase of that and say, for example, a team that we're all familiar with, St. Louis Cardinals, although they're owned by Anheuser-Busch, that stock in Anheuser-Busch is sold to the public. So you can make the argument that even though there's a parent company, that team is publicly owned. Now, I'm not going to use that argument but other financial experts have alluded to...that to me, but I can tell you that the Green Bay Packers, Pittsburg Pirates, Boston Celtics and others are publicly

owned.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Zito may close.

SENATOR ZITO:

Well, thank you, Mr. President, members. I would tell you again that this is the only plan where everybody will win. Senator Davidson made some reference to the revenue bonds. Senator Davidson didn't like the first plan either that committed sixty million of Build Illinois money to the program and I trust he...he won't like the revenue stream in this one either. The fact is it's much easier and no commitment on the part of the State of Illinois which I heard loud and clear from even the opponents...those eighteen opponents of the first time we called this bill. For the thirty-eight of you that supported it, I say, it's a better piece of legislation. It's better because the language in it is better and, number two, it is the only viable alternative that will come before this Chamber and I think that the House is simultaneously acting on this piece of legislation as well. If you want to go back home and tell our constituents that we did everything in our legislative power to keep the Chicago White Sox here in Illinois, please give me a Yes vote and let's adopt Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

It's my understanding, Senator, that it requires thirty-five votes for passage...thirty-six votes for passage. The question is, shall the Senate adopt the Conference Committee Report No. 1 on House Bill 2993. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 18, 1 voting Present. The Conference Committee Report having failed to receive the required constitutional majority is not adopted and the Secretary shall so inform the



House. Senator Zito. Senator Geo-Karis, state your point.

SENATOR GEO-KARIS:

Mr. President, you said it took thirty-six votes. Since these are revenue bonds, they're not general obligation bonds, why would it take thirty-six votes?

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...informed that the original part of the bill includes the DCCA funds which is full faith and credit of the state. Senator Geo-Karis.

SENATOR GEO-KARIS:

I understand that this Conference Report does not include that, am I correct, Senator Zito?

PRESIDING OFFICER: (SENATOR SAVICKAS)

It does include that portion. Senator Luft, for what purpose you arise?

SENATOR LUFT:

Thank you, Mr. President. Having voted on the prevailing side, I would move to reconsider the vote by which House Bill 2993 failed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator Davidson, on the motion. Senator Davidson.

SENATOR DAVIDSON:

I move that motion lie on the Table.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson has moved that the motion to reconsider lie on the Table. Now, on that question, those in favor of the motion to lay upon the Table will vote Aye. Senator Zito, state your point.

SENATOR ZITO:

I...I understand that a motion to lie on the Table is nondebtable for...but for clarification of the members. If you can restate the motion would be now, Senator Davidson, to lie...lie on the Table the motion to reconsider the vote, am

I correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator, that is correct.

SENATOR ZITO:

So an affirmative vote would be in favor of Senator Davidson. A negative vote would be in favor of Senator Luft's motion to reconsider the vote, is that correct?

PRESIDING OFFICER: (SENATOR SAVICKAS)

That's correct.

SENATOR ZITO:

Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Well, just as a matter of parliamentary inquiry, Mr...Mr. President. Assuming that Senator Zito wanted to put this on postponed consideration, it...okay, forget it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Gary Wightman of WBBM-TV seeks permission to shoot some file footage. Is...any objection? Hearing no objection, leave is granted. On the question to lay upon the Table, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. On that question...take the record, Madam Chairman...Madam Secretary. On that question, the Yeas are 12, the Nays are 41, 3 voting...or 1 voting Present. The motion to lay upon the Table fails. Now, Senator Luft, back to your original motion to reconsider the vote by which...the Conference Committee Report No. 1 to House Bill 2993 failed. Those in favor will...will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 16 and 1 voting Present. The motion to reconsider is adopted. Now, the question on the adoption of Conference Committee Report No. 1 to House Bill 2993. Those

in favor of the adoption...those in favor of the adoption will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 16 and 1 voting Present. The Senate...and the Senate does adopt the Conference Committee Report on House Bill 2993. Senator Davidson, for what purpose do you arise?

END OF REEL

REEL #2

SENATOR DAVIDSON:

Well, I'd ask for a verification of the Aye votes, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson has requested a verification of the affirmative votes. Will all the members please be in their seats. Will all the members please be in their seats and will the Secretary call the affirmative roll.

SECRETARY:

The following members voted in the affirmative: Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Demuzio, Dudycz, Etheredge,...Friedland, Geo-Karis, Hall, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Karpel, Keats, Kelly, Lechowicz, Luft, Macdonald, Mahar, Netsch, Newhouse, Raica, Rigney, Savickas, Schaffer, Smith, Topinka, Vadalabene, Welch, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Zito. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Before Senator Davidson begins the verification, I...I...I understand that there is the...both...members from both sides of the aisle are down in the school...school meeting and also Senator Sam Vadalabene is at the nurse's station. I understand that...I just want to let Doctor...Doc Davidson know that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson, do you question any of the affirmative vote?

SENATOR DAVIDSON:

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Senator Berman.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is Senator Berman on the Floor? Senator Berman on the Floor?

SENATOR DAVIDSON:

I'm not going to call...Vadalabene is ill. I'm not going to call him.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman. Strike his name from the record.

SENATOR DAVIDSON:

Senator Keats.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Keats. Senator Keats is right behind you, Senator.

SENATOR DAVIDSON:

Senator Dudycz.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz is running to his seat. (Machine cut-off)...Madam Secretary...on a verified roll, there are 36 Yeas, 16 Nays and 1 voting Present. And the Senate having adopted the Conference Committee Report with the required constitutional majority, it is declared passed. Senate Bill...House Bill 3297, Senator Jacobs. Madam Secretary.

SECRETARY:

First Conference Committee Report on 3297...House Bill 3297.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Conference Committee No. 1 on House Bill 3297, I ask for support. It is...it adds a new division within the Municipal Code permitting municipalities and counties of fewer than two hundred thousand an alternate method of...consolidation, allows a rail carrier to exercise

eminent domain when all the following conditions are met: the complaint for condemnation is filed within one year after this state's effective Act. Also it requires payment by the state for perishable goods with thirty days approval of the bill or invoice and notice of whether the bill or invoice was approved within seven days of its receipt. I ask for support of Conference Committee No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator, is this the super city bill?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

Yes, it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

And would you tell me just briefly...what...what the provisions are...are...does this still allow the municipalities by ordinance to decide whether or not they want to participate in this referendum?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

Yes, it does and it also takes care of a problem that the Republican county chairman had from Moline that allows for any one of the...the three major cities says no, then it goes down. That...that is by agreement.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I think the sponsor and...and

others that have worked on this have endeavored to work out a reasonable approach and I certainly, for one, want to support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Watson.

SENATOR WATSON:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR WATSON:

Senator Jacobs, is this the first corrected copy of the Conference Committee Report?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jacobs.

SENATOR JACOBS:

As far as I know, yes, it is. It's the one and only.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Watson.

SENATOR WATSON:

Then what is the difference, Senator, between the corrected copy and the...the other original?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Okay, there was a typo that said House amendment rather than Senate amendment. So, there is a corrected...amendment but that was all it was, just a technical change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Watson.

SENATOR WATSON:

...could you just tell me what it took out?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

It took...what we did is change the...the...I think on No. 2 it said the House recede from Senate Amendment No. 3. We changed that to say the Senate recede from Senate Amendment No. 3. Beg pardon? And the Randolph County Civic Center, I guess. I...I don't know. I...I'm not aware of that one, Senator, so,...I am not aware of that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

That was a major change, especially if you're coming from our area of the state. Randolph County Civic Center was taken out of...of the bill then, as...from what I understand, just not a minor technicality.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

The House cannot recede from a Senate amendment. The Senate can only recede from a Senate...amendment. So, we changed the wording. That then will have to be taken care of in the House then or...no. It has been passed in the House...with that language...with that language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Ralph Dunn...I'm sorry. All right, Senator Ralph Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President. I...I didn't quite understand the sponsor of the bill about Senate Amendment No. 3. I think it's out of there, is it not, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

There is some confusion as to what we've done, yes, Ralph. Evidently, yes,...Randolph was removed but it's not done by this proviso, as I understand it. Our change makes



no difference in what happened...with this bill or with the language of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ralph Dunn.

SENATOR RALPH DUNN:

I...I think what you're saying, Senator Jacobs, is that the Randolph County Civic Center is not in. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Correct, but we did not remove it, the House removed it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ralph Dunn.

SENATOR RALPH DUNN:

That...that's real important. I would urge a No vote on this Conference Committee Report. I don't know why we would not have that Randolph County Civic Center. I know it's a important bill and it'll be back around. I...I would urge a No vote and hope that we could defeat this and ask for a second conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I want to point out to my friends across the aisle here that I allowed Senator Dunn to put that on when this was my bill and I have...I...wish it was still in there but I'd also like to inform you that it was removed by the House Republicans. The Democrats had absolutely nothing to do, my information, with this. So, I...I don't know if we go back whether we're going to have a Randolph County whatever or not. All I know is I have a very important item in here. I tried to do and the Senate tried to do our best to accommodate Senator Dunn, and I hope that we don't jeopardize what those of us would like to have in

this bill because of the House Republicans' actions. So, I would hope we would concur in this Conference Committee Report. I will be more than happy to help Senator Dunn find any bill in this Legislature to try to accommodate him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Ralph Dunn.

SENATOR RALPH DUNN:

Mr. President, I...I found out since I made that suggestion a minute ago that it was removed by the House Republicans. I'll deal with them later maybe on another bill and I'm going to vote Aye on this bill. Thank you and thank you for calling it to my attention.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, is this a permissive bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

The consolidation is by referendum. There will be an ordinance drafted which will spell out the question to be placed before the voters. The voters will then vote as to whether or not they want to be part of. If a municipality votes itself out, that municipality is out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, Senator Jacobs may close.

SENATOR JACOBS:

I just ask for a positive vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

*4005  
1st e.c.k.*

Question is, shall the Senate adopt the First Conference Committee Report on House Bill 3297. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the...the Ayes are 56, the Nays are 2, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3297 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Senator Etheredge. Senator Etheredge...4005, Senator Watson. All right. Conference Committee Reports is House Bill 4005, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 4005.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the First Conference Committee Report on House Bill 4005 and this deals with the AIDS problem that we have in our state and this country. First provision...there's three provisions of the legislation. The first provision is identical to what Senate Bill 1803 was. It passed the...the Senate with a 47 to 8 margin, and it would require the school principal to disclose to the school's superintendent the identity of a student diagnosed with AIDS or who has been exposed to the HIV, and it allows the principal to disclose to the students...also a student's identity to persons required by law to be involved in deciding the placement or of the educational programming for that student, that'd be the special education people primarily in this particular incident. The second provision deals with House Bill...original House Bill 4005 which passed the Senate with a 48 to 4 vote and also passed the House with a 93 to 9, and that would allow health care providers or health care

facilities to perform the AIDS test without written informed consent when a health care provider, employee of a health care facility or a firefighter or an EMT is involved in an accidental direct skin or mucus membrane contact with the blood or body fluids of an individual that it may...transmit the AIDS virus. It has to be determined by a physician and it also provides for the disclosure of those...results of that particular test. The original legislation, House Bill 4005, contained police officer. That has been amended out of this version along with the...requiring the individual who has asked for the test to be responsible for the cost. The third provision of the legislation deals...is new language, and it's a new provision which provides that written informed consent, information and counseling are not required for an AIDS test when a physician decides that such testing is medically indicated to provide appropriate diagnosis and treatment provided the individual being tested has given consent to the physician for medical treatment. I'll be glad to answer any questions in regard to the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much. Senator Watson, you've...you've taken out the...the...the provision that the person who asks for the test has to pay for it. Who's going to pay for the test then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

The environment in which this will probably be performed will be in the hospital and...and that'll be part of the normal testing procedures of the hospital.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

So, now, according to this bill, Cook County Hospital, for example, would be...it would be incumbent upon them to pay for an AIDS test for every patient that comes in where there's a request or every patient...is that...is that...is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, it could be negotiated in a labor contract, let's say, with the firefighters, the...whoever it might be, that could be part of the payment procedure and there is nowhere in the provisions of the legislation that it actually states who is required. So, Cook County Hospital wouldn't necessarily be holding the bag. It'd be up to them to...to collect from the individuals involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Let's not rush over this thing so that we pass something that we don't know what we're passing. According to the...the bill right now, in this Conference Committee Report with what you've taken out, a hospital, like Cook County Hospital, that, of course, deals with the medically...medically...indigent and is in tremendous shortage of funds and the County of Cook would have to pay all the bills of all the people where there are requests. There is nothing in the bill that says they don't. I asked you who pays. You said the hospital. You took out the provision where the patient has to pay. Someone has got to pay for these tests. They're expensive tests. That means that Cook County Hospital is going to pay for every one of these tests. You know...you know what this is going to cost?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, Senator, this is permissive language. Cook County Hospital does not have to provide the test.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

You mean to say where somebody requests the test, any hospital would have the right to refuse it and where someone...where there has been a puncture or something and the hospital would say, I'm not going to perform the test and open themselves up to a...a medical...a...a liability claim?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, that'd certainly be up to the hospital. Leave the decision to them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

To be sure, no hospital is going to be doing it for free and the cost of this is astronomical. Let me ask some other questions. Let me...let me ask a couple of questions. Why do we have to remove the consent requirement? I mean, is there a big problem out there where doctors are recommending to patients that they be tested and patients are, in fact, refusing? Why do we have to remove the consent requirement? What is the problem that necessitates this legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes, I asked that same question. Coming from my area of the state, I thought the very same thing, Senator, and the State Medical Society who supports adamantly this particular

language of the legislation said that there is a major concern with this and the fact that the physician can't adequately treat or be made available the necessary information...in regard to the patient. This just gives that physician...and really protects the patient in that regard and it's in the best interest of the patient that this kind of legislation is...or this kind of language is in the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Marovitz. Can we have so order, please?...go a lot quicker here if we had some order. Senator Marovitz.

SENATOR MAROVITZ:

I...okay, I have some very important questions here. If your answer is true that they can't adequately treat a patient, then why shouldn't the doctor just inform the patient that he's going to test them? I mean, if...if that's the reason to adequately treat and diagnose the patient, is there some reason that the doctor should do this without even telling the patient? No, there isn't. That's the answer. Let me ask another question. Isn't it true that under this Conference Committee Report a patient who signed a general...let's say a patient comes into town, they go see a doctor for the first time, they sign a general consent form, that...that that general consent form with that family doctor will now provide sufficient consent for an HIV test forever...forever without any additional consent, without the patient ever being...informed. So, if you...if you do it when...when you're...you turn eighteen, you turn twenty-one, you're sixty-five all the way up to that age, a doctor can test you any time he wants, never tell you...never tell you anything about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, they don't have to, Senator, but it's unlikely that they wouldn't.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Marovitz.

SENATOR MAROVITZ:

The fact is that your legislation gives that doctor that right for an infinity, for a lifetime. Let me ask you another question. What's to prevent a doctor...or if the bill is passed from automatically running an HIV test on every new patient that comes in and then when those results are positive using that as a reason not to treat somebody? They get a positive result, I don't want to treat you. Is that possible?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

...certainly could be possible.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

...is it true that this proposal runs directly...contrary to President Reagan's AID Commission on the...of informed consent, that President Reagan's AID Commission is...is totally opposed to this concept?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, I honestly don't know and I really, honestly don't care. I think that...people of Illinois and the...the General Assembly here should...be making decisions in the best interest of the people who live here. Whatever that Washington wants to decide is up to them.

PRESIDING OFFICER: (SENATOR DEMUZIO)



All right, Senator Marovitz.

SENATOR MAROVITZ:

Last question, Mr. President. Under this Conference Committee Report, isn't true that someone who's tested by a physician for HIV no longer has to be counseled? We passed a law that this Senate approved unanimously that said when someone comes in and is tested, they would get counseled on the results and what the ramifications are, that according to this Conference Committee Report, there would not have to be any counseling whatsoever and...and that the physician does not even have to reveal the results of the test to the patient nor the fact that he's testing him. So, under your Conference Committee Report, someone comes in, they...they test them, they never tell them the results of the test, they never tell them they were tested, they never counsel them, that's exactly what this Conference Committee Report does. It's one of the worst pieces of legislation I've ever seen here. It flies in the face of what the Governor signed last year and what the national policy is throughout this country. And how you can have a...a...allow a doctor to take a test on somebody, not tell them and not tell them the results if they're positive. Show me in this legislation where it says if you got a positive result, you got to tell your patient. Now that's disgraceful.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. A couple of questions of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The sponsor indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Just out of curiosity, Senator Watson, why would someone want to put into a conference committee a bill that passed

both Houses overwhelmingly?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, the...you're talking about the original House Bill 4005. Okay, that...there was an amendment put on here in the Senate that they did not concur with and it went into conference committee, simple as that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

After it passed both Houses overwhelmingly?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

...House bill passes House, comes to Senate, Senate bill amends it, Senate bill passes it, goes back to House, House says no to Senate amendment; as a result, we end up with a conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

All right. To the new provision, however,...thank you for answering the question, by the way. I...Senator Marovitz and I don't find ourselves usually on the same side when it comes to AIDS legislation, as witnessed by what occurred last year, but I do have to tell you that some of the concerns that he has expressed about this new provision ought to be looked at. I think you're flying right in the face not only of the legislation we passed last year but I think you are going to create a enormous problem for Departments of Public Health in the State of Illinois, tremendous problems for the medical profession and I think you're embarking into an area that most medically competent people would not appreciate

having to make a decision in. There is a great concern about the consent aspect of AIDS testing, and I don't know why we would want to at this point destroy a program that I think is finally on its way and a program that has taken a lot of the fear out of people who want to be tested. I...I think we might end up going backwards with this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. A question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell, I see your light on and Senator Netsch and others, so I recognize Senator Smith and sponsor indicates he will yield. Senator Smith.

SENATOR SMITH:

Thank you. Senator, would you please tell me what is the position of the Department of Health on this legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

They're opposed. Department of Public Health is opposed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

(Machine cutoff)...understand you, would you say it again, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

The department is opposed as they have been to the legislation as it's progressed through the procedure.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Is the possibility that you could explain that to us, please? Why the Department of Health would be opposed to this legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, we had a...a conference committee on the legislation. Doctor Turnock's concern was that...and he supports actually the normalization of testing and that's really what this is...the provision that Senator DeAngelis and others have concerned themselves with is in the area of the...of the consent and the...we're...the testing...the blood testing in a hospital and what the attempt is to do is to normalize that. In other words, as you go into a hospital, you normalize the...the...the testing so that when you're tested for one item, you're...you're tested for many others and, of course,...AIDS could be a...a part of that test and it...and the...the director of Department of Public Health supports that direction. He think that ultimately he...that's where we should be, but he also felt that we were possibly going too soon in heading in a direction in a quicker fashion than what he...he felt would be necessary. So, that's basically, I feel, what his opposition was to this particular provision of the Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. This last summer I was asked to speak to a group of superintendents from the emergency rooms who are very concerned about this exact problem; in fact, the one who was most concerned happened to be in, I believe, Senator Marovitz' district, from Northwestern Memorial Hospital. What they told me was that, frankly, they are having a

great deal of trouble trying to get personnel particularly at Northwestern Memorial because that is the hospital that has the second largest group of AIDS patients in the State of Illinois. We had a debate about this down at Northwestern University and there was a doctor there who was at both meetings who said that it is absolutely impossible to guarantee to the hospital personnel even if they wear gloves, which is now mandated by the hospitals, that they will not get infected with an IV...virus. What we are attempting to do here is to safeguard the hospital people who are working directly with patients. We are attempting to also safeguard the patients to make sure that that virus is not carried from one person...one patient to another. We are also asking that we safeguard our firemen who pick these people up sometimes off the floor as...out of streets as paramedics. We are asking to protect our emergency ambulance people, and I don't think that that is asking too much that when these people are willing to, in effect, put themselves on the front line to take care of these patients that they at least be informed of whether they, indeed, have possibly been infected by the IV...virus. You've got to realize that these people have families. What the doctor told me was, I'm willing to take the chance, I am not willing to take something this...this deadly back to my wife and my children. I think this is an...a...a fair legislation. We should be protecting our people who are willing to...to make this sacrifice and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Can we have some order, please. Will the Senate come to order. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senator Fawell, the provision to which you refer might be perfectly acceptable, that is at least a unique and...and discreet set of circumstances that

might be addressed by one part of this. The problem really is with the section of...of the Conference Committee Report that for all practical purposes repeals the entire Confidentiality Act that this Legislature passed last year on very substantial if not near unanimous votes. I think, indeed, they were unanimous. Everyone...everyone recognized that that was a critical part of any AIDS program, and, indeed, probably the reason why the Department of Public Health opposes this is that they don't want testing to be "normalized" in the sense that Senator Watson was using that term. They want to make sure that those people who ought to be tested will do so and they won't unless there is confidentiality guaranteed. That was absolutely the underlining of what we passed unanimously last year. This bill...this one section of the Conference Committee Report for all practical purposes repeals that confidentiality section. It is going to work directly contrary to what all of us want to happen with respect to controlling AIDS. It is a terrible...provision and it should not be approved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator...Senator Davidson.

SENATOR DAVIDSON:

...question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Watson, if I have patient in the other part of my life come in and I have for whatever reason decide he should have...be tested for AIDS, can I order this test on him with or without his permission?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

If he...signs the original consent, Doctor, and I don't know how it...Doctor Davidson, I don't know it affects your particular profession, but if someone comes into your office and has to sign a letter of consent for you to treat them, then they're...this provision could possibly have an effect there, yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I thought we...what we passed last year with the written informed consent and et cetera and particularly in relation to marriage and the person came, I have the responsibility to explaining to the two partners how the test results were. I cannot reveal to anyone else other than the person who's being tested as to the findings of that test. Does that...does this jeopardize that in any way?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

No, it does not affect that. Confidentiality is still there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, one final question. My understanding is that what we put on for...policemen and firemen was removed but if there is an accident and the blood test is being ran in whatever facility from that victim from the accident being taken in, the physician can order the HIV test or in other words the test for AIDS. Who pays for the test that he ordered for AIDS when it wasn't...may or may not been called for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, that would be negotiated between the hospital or those that are providing the test and that individual. And by the way, the firefighters are still in this. You mentioned that the firefighters are out. I want to make perfectly clear, firefighters are still in this provision.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Are the policemen?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

No, they were taken out and they're very much aware of that and they have no problems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, how you going to negotiate who's going to pay for a test that's been ordered by the physician when it's an accident victim? Whether they're conscious or unconscious, particularly unconscious, there's no way you're going to negotiate with the hospital when you have a life threatening circumstances and you have some reason as the attending physician to order this test.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, the...there are many tests that are run when someone comes into the hospital and...and this would just be part of that procedure possibly, so there's...the consent that is given when the individual comes in is that particular consent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.



SENATOR DAVIDSON:

...that's not my question. My question is, who's going to pay, because the HIV test is not something you order just automatically when a person comes in as an accident victim? That...that is an item that no company or third party payer is going to assume liability for if the physician in his judgment said this ought to be tested. This is something the patient is going to have to pick up unless they've changed accident policies different from the one I have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...was that a question? Senator Watson.

SENATOR WATSON:

Well, the attempt here is to protect that firefighter and that individual out there on the front line and that's...that's the whole attempt of this...Senator. Now as far as who's going to pay is going to be...could certainly be negotiated in a labor contract, it could be negotiated individually between that individual and the hospital or it's...and it's simply a matter of the...the hospital providing that information to the...to the people involved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

In your original bill of...4005, it did allow health care providers or health facilities to perform HIV tests without written informed consent when the health care provider, employee of a health care facility, a firefighter, an EMT 1 or an...EMTA is involved in an accidental direct skin or mucus membrane contact with the blood or...or bodily fluids of an individual that may transmit HIV as determined by...by

a physician. Is that provision still in the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes, it is. You're reading it right off the analysis, so I assume it's in there. I've...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

(Machine cutoff)...President and Ladies and Gentlemen of the Senate, I certainly support the concurrence of the bill 'cause that's what it really applies to and that's to whom it really applies, and I think it's very important because if there is someone who has been injured and is bleeding and the paramedics are taking him into the hospital and...the...the doctor determines that he'd better take some tests and this man has AIDS, don't you think it would be protection for those poor paramedics to have this kind of test taken? I certainly support the concurrence of the bill. I think we go too far a field about written informed consent. After all, we are looking to protect people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Brookins.

SENATOR BROOKINS:

Yes, just to follow up on Senator Geo-Karis' question. If that scenario take place and it is said that the person that was being treated had AIDS and the doctors when through the test and everything, did I hear you to say that they would not tell the...the...the victim that he had AIDS?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, it's not...you don't have to do that, no, they don't have to tell the patient, but when you've got a physician and it's your attending physician, that...physician is going to look out for the best interest of the patient, and I would think that if he feels it in the best interest of patient he should be told, the patient will be told.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

I'm talking about the fireman. If the fireman has contacted AIDS by treating this injured person, then the physician would not tell them that he has...that he has contacted AIDS?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

The provision says that the firefighter will be told. That's...that's the whole intent here is to be able to perform the test and inform the firefighter or that particular health care provider or worker whether or not he's been...he or she has been exposed to AIDS or a victim who has AIDS.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. In the Conference Committee Report on page 3 it states, "When in the judgment of the physician such testing is medically indicated to provide appropriate diagnosis and treatment to the subject of the test." I think one of the concerns that was voiced in committee was that there is a stage in which AIDS is in a pneumonia stage and which it is treatable, and when such tests...as this can detect this on a

patient which would normally not have been run had he come into an emergency room facility, what we're saying here is in the opinion of the physician, when he's attempting to treat the patient and if it will help with the diagnosis and treatment of the patient that this patient be given the test. In this piece of legislation what we're also trying to do is to help the provider and protect the people that have dealt with the patient prior to the patient coming into a semi-sterile environment. There are situations and emergency cases out in the field where the paramedics have got in contact with this patient and the two most probable ways of contacting AIDS are mucus and blood. In a hospital and semi-sterile environment where the caps and gowns and all these are relatively available, the chances of contacting AIDS are somewhat limited, although they're...they're probably there. What we're doing with this piece of legislation is saying, wait a minute. There's been a situation when a severely traumatized victim has been brought into an emergency room and quite possibly...quite possibly this patient may have AIDS. To protect the people that are working in the emergency room facility and to also protect the providers that brought the patient in the emergency room and if it would help with the diagnostic treatment of the patient, the test would be performed. We're not saying that a physician would go out there and automatically perform the test if a patient came in with a fracture. There's no blood contact and there's no sputum contact. What we're saying in the cases where the physician says that possibly the diagnostic outcome of this patient revolves around this test, that the test be performed. The serious...the problem that was taken out of here was with...if the health care provider is going to pay for the test or not. If the patient comes into the emergency room and a CBC or another test is done and the patient is a diabetic, the physician is going to inform the patient he's a

diabetic. He has to, he's a physician. If the patient has AIDS, most likely the physician is going to also inform the patient that he has been diagnosed and there is an AIDS...the positive test has come about. I do not see anything wrong with this piece of legislation. It's a protection to the patient who normally would not be detected as having AIDS and also it's a protection on the paramedics or firefighter or the nursing staff, maybe possibly one of our wives, that may be treating the patient in the emergency room. Therefore, I stand and ask for your Aye vote on this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz, for a second time.

SENATOR MAROVITZ:

Yeah, I apologize for rising for a second time but I just want to make clear to Senator Davidson, who...who asked some very good and pointed questions, what was...what was taken out of the bill...taken out of the bill and this is the clause that was taken out of the bill, "The exposed health care provider or other person requesting that testing be performed pursuant to this subsection shall bear the cost associated with the testing." That clause which was in the bill has now been taken out of the bill and, furthermore, regarding Senator Geo-Karis' question...her comments about a worker and the protection of that worker, that was the bill that was passed originally. That passed here just almost unanimously.

That...that was the bill that passed, but then it was put in conference committee for the express purpose not of passing that bill 'cause it passed already but of putting this other onerous provision in that you didn't refer to that allows a physician to test somebody without asking or telling him, without...without counseling him, without informing him of the results...without informing him of the results, and that's the provision that, in my opinion, is the most onerous provision in the entire piece of legislation. He doesn't

even have to tell him that a test occurred and I can't imagine why any physician would want to hide...hide such an absolutely crucial fact from a patient, but that's what this legislation is all about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator DeAngelis for a second time.

SENATOR DeANGELIS:

Yeah, and I apologize also because I want to make it very perfectly clear that when I heard Senator Raica and other people speak, that was the reason I asked that question about House Bill 4005 at the onset. That was a perfectly good bill, Senator Raica, that did exactly what you described; but then, all of a sudden, somebody in the House decided that perhaps they wanted to add a little bit more to the bill, and what they have done essentially is taken a perfectly good bill which gave those firemen, those policemen, those EMT people exactly those rights that you were talking about and they decided to expand those rights way beyond that group and they expanded it to somebody who casually walks into a doctor's office, and that's where I think the problem with this bill is. Now, if this Conference Committee Report were to be rejected and it were to come back with that last provision out, it would fly out of here like crazy and I think it ought to; but I don't think you ought to set back the clock on what we're doing with HIV treatment and testing to expand it to such an extent that it'll make it counterproductive and, in fact, the people that you're...trying to protect might, in fact, be called upon to perform that service because the person who doesn't want to be tested by that doctor is going to wait for an emergency and then, Senator Raica, you will put your firefighters and your policemen in jeopardy because that person will not seek conventional treatment but will wait for that emergency to get that treat-

ment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell for a second time.

SENATOR FAWELL:

I...I apologize for raising...or rising for a second time, but let me tell you again what the doctors told me. First of all, some of these patients are brought in unconscious. They cannot at that point wait...in fact, they may have to wait until a guy dies before they get written consent to get...to find out if the person has AIDS or not, and that's the first thing. The second thing, why don't they tell them immediately? Number one, as I said, he may be unconscious. Number two, some of these people, frankly,...can't take that knowledge. They've got to make sure that the patient is in a state of mind and won't go and jump out the window or run out of the hospital room, which some of them, frankly, have done and gone off and killed themselves. They've got to make sure that the patient is at least...at least counseled to the point where they can accept the knowledge that they have this. The third thing, when you say this bill was a good bill when it came over here, it was good...a good bill if you...unless you're a fireman and you deal with this on a daily basis, unless you're a nurse that deals with this on a daily basis and you don't feel like spending your entire salary every time somebody is brought in and you're...you're stuck with a needle or your...or your glove breaks open because somebody hands you a scalpel to try and save a person's life. I'm telling you that I have been told at two...on two different meetings this is a bill that the...emergency room people, the paramedics, the nurses, the doctors feel are imperative...is imperative to have and I...and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Smith for a

second time.

SENATOR SMITH:

Thank you, Mr. President. I didn't intent to stand but after my colleague, Senator Fawell, stated that she had...had calls and had...doctors had told her that they were in favor of this legislation, it brought to mind that I have had several calls from very outstanding doctors against this legislation and they do not...agree with what you are saying. So I just wanted to put that for records sake that there are doctors who are bitterly opposed to this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I just want to make the point that we're giving permission to a number of our colleagues to speak a second time and it's getting to be a common practice in here, and pretty soon I'm going to object to it if it continues that we just...one after another keeps addressing the issues.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, then Senator Watson may close.

SENATOR WATSON:

Well, thank you, Mr. President. This conference committee has been debated quite well and a lot of good points have been brought up on both...on sides. I want to just briefly run through it so that everybody understands what...what we're talking about here. The first provision which really didn't seem to create a lot of controversy is the one in which the superintendent of schools will be notified in regard to a student residing in that particular school who has the AIDS virus. Second provision which is...some people have been concerned with allows for the health care worker, the firefighter, EMT and others to be made aware of...or ask



for and be made aware of the results of a test of an individual in which they've been in contact with which they feel possibly...with written consent from a physician, by the way, a physician has to consent and say that the contact with that individual has been made and ask for the results of the test and the provision in regard to being notified. The concern that some people have addressed is in regard to who's going to pay, and I'll be quite honest with you, just to let you know what really happened there and why this comes back as a conference committee is the fact that I put that provision in there because I was concerned about that also, but some of the people came to me and I can understand why...if a health care worker making three dollars and thirty-five cents an hour as an aide at the hospital asks for a test to be done that they...they can't afford it, they're not going to be given that same protection as someone who...who could afford it. So, I...I felt and understood and...and agreed with...with those people, along with the Firefighters Association, that that provision should be taken out and that's why it was taken out and the conference committee was called and then...of course, then we come to the third major section of the legislation which has created probably the most controversy of all, and I...I appreciate the remarks of Senator Raica because I believe he's right on target. The Illinois State Medical Society has brought this legislation, and I understand, Senator Smith, that obviously not all doctors are going to support this as I don't always support all the legislation that the pharmacists support either. I'm a pharmacist, I don't always support everything they do. I'm sure there are going to be doctors that are opposed to this, but as a whole, the State Medical Society is adamantly in support of this legislation and the reason that they are is because they're concerned about the quality of health care they're going to provide for their patient and they're con-

cerned about their patient, and the patient/doctor relationship that develops through the years, hopefully, would prevent many of the problems that have been brought up on the Floor here today. I don't necessarily feel this is a step backwards and I...I really...perplexed when someone gets up on the Senate Floor and says this is the worst piece of legislation they've ever seen. I...I honestly don't think that. I...I think that Illinois has been a leader in the AIDS issue. Illinois has been concerned about the people in which reside in this state and the health care that's being provided, and I think that that's what this particular provision is all about. Sure, the physician comes in and says, I...I feel that this particular patient should have an AIDS test, that's in the best interest of the patient, that's what the doctor is concerned with, that's what the Medical Society is concerned with. So, I...even though I understand some of the concerns and...and objections, I feel that what we're trying to do is protect that patient and provide the best quality health care available to that...individual having known...that physician having known all of the ramifications that are involved. I would appreciate your support and I certainly appreciate the debate that has been carried on today. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 4005. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 12, 2 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 4005 and the bill having received the required constitutional majority is declared passed. Senate Bill...Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point, sir.

SENATOR HUDSON:

In the President's Gallery to my right is a former constituent of mine, Mrs. Karen Schwab, who was widowed when her husband, a U. S. military helicopter pilot, was killed in heroic action for his country during service in Honduras in 1984. She is here this afternoon with her two sons, Brandon and Jason, and I would like for the Senate to welcome them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

If our guests in the gallery would please rise and be recognized by the Senate. Senate Bill 1842, Madam...Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1842.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Conference Committee Report No. 1 on Senate Bill 1842 does four or five things. The Senate concurs in House Amendment No. 4 which limits the director of personnel for the Metropolitan Sanitary District, limits his discretion in canceling civil service examinations to only when no vacancy exists. The Senate concurs in House Amendment No. 7 which increases the allowable terms of leases from the Metropolitan Sanitary District from fifty to ninety-nine years. I believe that's something Senator Mahar has suggested. The House recedes from House Amendment No. 3 because it amended the wrong Act. The sponsor's intent was to stagger the terms of office of the LaGrange-Highland Sanitary District in the Sanitary District Act of 1936. This is now corrected later on in the conference committee. The

House recedes also from House Amendment No. 6 which reinserts the language...suggested by Senator Dudycz that preempts home rule and requires the City of Chicago to make available at branch libraries applications for police and firemen. In addition, we are extending the sunset for the Metropolitan Sanitary District's authority to issue construction bonds from December of '91 to December of '96. This concept passed this Body earlier this Session 45 to 10. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This bill has a tremendous positive economic benefit to suburban Cook and DuPage Counties, and I would direct you to House Amendment...direct your attention to House Amendment No. 7. The MSD owns quite a bit of property within municipalities in Cook and DuPage along the I and M Canal, the Sanitary and Ship Canal, the Des Plaines River, the Cal-Sag Canal, in my district, I think Senator Joyce's district and Senator Raica's district. Those communities have been trying to develop that land with light industry and...and...and commerce for the last several years. They've been unable to and the principal reason they've been unable to is because of the restriction on the lease, in particular that they can only lease up to fifty years. No companies are willing to commit and make that investment, and it is...the firm opinion that the people that live in the southwest suburbs that by lengthening the terms to ninety-nine years, they will be able to develop that property. It's something that Senator Degnan and I have been working on for the past couple of years and I would urge your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the

Senate adopt the First Conference Committee Report on Senate Bill 1842. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 17,...the...none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1842 and the bill having received the required constitutional majority is declared passed. All right, Supplemental Calendar No. 3...Supplemental Calendar No. 3, on concurrence. Is Senator D'Arco on the Floor? Senate Joint Resolution 136. Senate Joint Resolution 139, Senator Jeremiah Joyce...Mr. Secretary, Senate Joint Resolution 139, please.

ACTING SECRETARY: (MR. HARRY)

(Machine cutoff)...Joint Resolution 139.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

ACTING SECRETARY: (MR. HARRY)

With House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. We passed this out...this resolution which created an eight-member Illinois Committee on Postsecondary Education...Adult Vocational Education. The House changed it to a Committee on Postsecondary Adult Vocational Education...to a Legislative Advisory Board to the Illinois Community College 'cause our language sounded too much in commission and I would urge the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? We are on Supplemental Calendar No. 3. If not, the question is, shall the Senate concur with House Amendment 1 to Senate Joint Resolution 139. Those in

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C.C.R.

favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Joint Resolution 139 and the...and the resolution is declared passed. Conference Committee Report Supplemental Calendar...page...I'm sorry, Supplemental Calendar No. 3 is House Bill 589, Senator Luft. All right, 589, Madam Secretary, House bill...Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 589.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Conference Committee Report No. 1 recommend that we recede from Senate Amendments No. 1 and 2. We delete the provisions subjecting municipalities to a solid waste management plan developed by a county. We grant Madison and St. Clair Counties the authority to set reasonable hours for all landfills and waste energy facilities within their borders by ordinance. 589 sets purchase price for landfill generated methane gas at the average amount per kilowatt-hour paid by units of local government excluding amounts paid for street lighting and pumping service, and it exempts utilities from being required to purchase electricity from waste energy facility if the purchase would result in tax credits exceeding a utility's tax liability. I'd attempt to answer any...questions; otherwise, I'd move for the adoption of Conference Committee Report No. 1 to House Bill 589.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Welch.

SENATOR WELCH:

Well, I had a question about the changes, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

The Conference Committee Report exempts utilities from purchasing the methane gas that's derived from the landfill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR WELCH:

Is that what you said?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

No, it exempts utilities from being required to purchase...electricity from a waste to energy facility if the purchase would result in tax credits exceeding a tax liability.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the House...I'm sorry, shall the Senate adopt the First Conference Committee Report on House Bill 589. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. The Senate does concur with the First Conference Committee Report on House Bill 589 and the bill having received the required constitutional majority is declared passed. There's been a request by WTVT-Television to...for a live three-minute interview in the gallery, I suspect with Senator DeAngelis since he's standing there...up there. Is leave granted? Leave is granted. Senator D'Arco, as soon as we get down to the end of this page, we'll come back and pick you up. House Bill 2034, Senator Jones. All right. House Bill 2034, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

Second Conference Committee Report on House Bill 2034.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is amended by deleting all and inserting various provisions as I will read. It requires DOT to study barge traffic on the Illinois River. It creates the Alexander-Pulaski Counties Port District Act. It authorizes the establishment of a public airport by the Seneca Port District anywhere within LaSalle County. It extends the airport zoning, property acquisition and flight safety powers of the district over lands within two miles of any airport it owns, leases or operates. It...it makes various changes in the Jackson...Union Counties Regional Port District. It empowers DCCA to award grants that are matched by equal grants from a local government to any port district for the purpose of promotional and marketing activities, market research, repair, maintenance of port facilities and so on. And it eliminates the provision that the duration of the subordination of the regional port district's pay back the outstanding public bond agreements extends solely for the period of time of the running of those bond agreements in the Capital Development Board. I would move for its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Poshard, on page 36 of...of the Second Conference Committee Report, is that what you have in front of you? Page 36, line 11...(machine cutoff)...is a provision that



creates a public incinerator for waste disposal by incineration by any means or method for use by municipalities for disposal of municipal waste and by industries for disposal of industrial waste. Now, is that an incinerator for hazardous waste that you're going to allow, and...and if so, where is it going to be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Senator Welch, it is...it is not an incinerator for toxic waste. It's an incinerator for municipal waste and it only affects Jackson and Union County Port District. It's...it standard language for certain port districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, in that same paragraph it says that the port district has the authority to lease land and set in incineration facilities for the operation of incinerator for a term not exceeding ninety-nine years, to fix and collect just, reasonable and...nondiscriminatory charges for the use of such incinerating facilities. What this provision does is allow for St. Louis to send...send garbage to this area, incinerate it and you can't charge them a higher price than you charge people in Illinois. Now, that's not a standard provision. This is an extraordinary provision and I'd like to know who came up with this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Senator Welch, this was taken straight from the Joliet Port District Authority and the language that governs...the operation of that port district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

...so you want to run a port district like Joliet, is that...that the intention here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Welch. No, Senator...all right, further discussion? Senator Welch.

SENATOR WELCH:

This isn't a standard clause in...in...in port district languages to...to create incinerators for disposal of any types of waste for industries for disposal of industrial waste. Now, that's not municipal waste. Industrial waste is generally toxic waste or hazardous waste. Now, Senator, just exactly what kind of a incinerator are you building down there?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Well, knowing Jackson and Union County, it's not the most cosmopolitan place in the world, Patrick. I'd have to think we're keeping it pretty simple in restricting it to municipal waste and I'm told by staff that it...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further...Senator...Senator Welch, your time has almost expired. Senator Welch.

SENATOR WELCH:

Well, I...you know, I just want to point out here that this is extraordinary. Now, I've been informed this isn't in the Joliet Port District Act. What we're doing is creating an incinerator in Jackson County, and I'm familiar with Jackson County. It's...it's a very nice county. There's a lot of parks around there. You're near Crab Orchard. You're near a lot of forest preserve districts...areas. What you're doing is creating a magnet incinerator that is going to

attract from throughout Illinois and surrounding states, Senator, whether you like it or not, industrial waste. Municipal waste in Jackson County is going to become the incinerator capitol of the midwest. Now, if that's what you want and if that's what this bill is going to do, and it's your area, that's up to you, but I would suggest that you not do this, Senator, that you go back to a new conference committee and have a new draft made of this provision to tighten it up. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President, if I might ask the sponsor a...a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Topinka.

SENATOR TOPINKA:

I'd...I'd like to ask about the Chicago Regional Port District which is also in there, and our analysis would note that right now the General Assembly has appropriated 5.1 million dollars to the port district for the refunding of the 1955 bonds which apparently that they have issued and now they are seeking more indebtedness. Could you tell me to date what is their debt and how much have they repaid on that debt to the state?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Senator Topinka, I don't know but this was the provision that Senator DeAngelis passed earlier in this Session. He would probably have that information for you. I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, could you just jump on down here? Senator Topinka.

SENATOR TOPINKA:

Well, not to be rhetorical, but...according to our...our analysis, the debt to date is fourteen million nine hundred and sixty-eight thousand eighty-nine dollars and fifty cents and apparently no repayment has been made at all and now they're seeking some debt. If I may follow with one other question, why have no Republican members signed the Conference Committee Report?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

They wouldn't sign it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, Senator Poshard may close.

SENATOR POSHARD:

Thank you, Mr. President. I'd simply ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on...I beg your pardon, the Second Conference Committee Report on House Bill 2034. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 27,...(machine cutoff)...voting Present. The Senate does not adopt the Second Conference Committee Report. Senator Poshard, for what purpose do you arise?

SENATOR POSHARD:

Mr. President, is it in order to postpone consideration on a Conference Committee Report?

PRESIDING OFFICER: (SENATOR DEMUZIO)

It...indeed is.

SENATOR POSHARD:

Then I would like to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Poshard requests postponed consideration. Postponed consideration. Okay, Senator...Senate Bill 1563, Senator Holmberg. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Excuse me, sir, but I certainly pushed my...my...my button. If it didn't come up...I certainly...yes and I saw green up there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Smith, you're record is not voting...the motion has been postponed. We'll just come back to it at the bottom of the page again. We're on the...Senate Bill 1563, Senator Holmberg. All right. Senate Bill 1958, Senator Macdonald. Senate...Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

(Machine cutoff)...Conference Committee Report on Senate Bill 1958.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This was the bill, if you remember, that had the controversial language in Amendment No. 7 about the abandoned quarries that Senator Welch questioned, and...Amendment No. 7 provided that abandoned quarries used solely for disposal of concrete, gravel, et cetera from road construction activities. The conference report specifies that the construction activities conducted by public utilities must be restricted to the construction and installation of underground pipes, lines, conduit or wires which are off the premises of the public utility. I think the language clarifies the objections and I hope that you

will accept this new version of the Conference Committee Report on Senate Bill 1958.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? (Machine cutoff)...if no discussion, the question is, shall the Senate adopt the First Conference Committee Report on House Bill...I'm sorry, on Senate Bill 1958. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1958 and the bill having received the required constitutional majority is declared passed. Now before we leave Supplemental Calendar No. 3, with leave of the Body, we'll go back to Senate Joint Resolution 136, Mr. Secretary, on the Order of Concurrence. Concurrence, Supplemental Calendar No. 3, Senate Joint Resolution 136.

ACTING SECRETARY: (MR. HARRY)

Senate Joint Resolution 136 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This is the amendment that puts DCCA and the Illinois Commerce Commission and Energy and Natural Resources as part of the task force that will try to discover a permanent funding source for the IRAP Funds, and I move to adopt...the...I...I'm sorry, I move to concur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Joint Resolution 136. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question,

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the Ayes are 57, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Joint Resolution 136 and the resolution is declared passed. Supplemental Calendar No. 4, Senator Poshard. Senator Poshard.

SENATOR POSHARD:

Yes, Mr. President, you had indicated you would go back to 2034, at the bottom of the page, before we moved on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

It'll...it'll have to come out on the next supplemental list...next supplemental Calendar. Supplemental Calendar No. 4...Supplemental Calendar No. 4 is House Bill 3007, Mr. Secretary.

END OF REEL

REEL #3

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 3007.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President...and members of the Senate. First Conference Committee Report on House Bill 3007...it provides that no lease between mobile home parks and tenants of mobile home parks shall be required...shall...shall require the tenant to purchase the mobile home. And...this...this report further addresses itself to the so-called hole in the doughnut legislation effective August 11, 1986. This report provides for that the county clerks shall abate property taxes on real property located in the territory automatically annex...annexed in this fashion by a municipality. This abatement shall be made only for home...for taxes levied for the assessment year in which such...an annexation occur. Also it...it includes in there the...the legislation that we passed for an informal hearing by a...for a taxpayer before the Department of Revenue which passed this Body and the House on a unanimous vote. I know of no opposition, I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, there certainly is some opposition to this version. I've already signed another report that takes out all of that extraneous material that was added in. I think what we're attempting to do here was to resurrect all of Representative Curran's legislative package for the year



that got bottled up in the Rules Committee and, frankly, I don't know what we're doing in this report with language dealing with mobile home parks, things that don't even amend the Revenue Code of this state and, after all, that's what 3007 was all about. As I say, the...the next report has been drafted, it's been signed by all the members. You'll notice the Republican members are conspicuously absent from this report. And I would just suggest that we give a deep six to this report and get on with Report No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

The sponsor...yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Senator, you talked about mobile homes, then you went on to annexations, something about abatement of taxes and I'm certainly concerned about that. Would you just give me a rundown again on that annexation business about abatement of taxes?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Okay. I've been informed that this legislation only affects this particular area and if you are involuntarily annexed, it is...you will be abated for one year but it's only prospective. This legislation...by the way, this legislation passed the House and it got bottled up in our Rules Committee as...for the only reason that it appears on this Conference Committee Report. And this Conference Committee Report has already been adopted by the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

In...in other words, you are saying that it only applies to property that was involuntarily annexed by...passage of a bill that happened about two years ago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yes, but it's only prospective, only for future annexation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. I also have a...a question or two, but I certainly want to reiterate Senator Rigney's comments. As one of the conferees, I also have signed Conference Committee Report No. 2 which took out the language that was somewhat objectionable to us. And at this time, Mr. President, I would ask on this particular portion which is Chapter 80 of the Revenue Code, is that really germane to...to what we're trying to amend in the First Conference Committee Report?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, in...in response to that, you know, our staffs are very eager, sometimes they make mistakes and...however, they're...they're very good. And, but so...we're just concentrating on this report, and that signature that you inadvertently signed on the Second Committee Report, we'll just disregard that at this time and vote favorably on this good piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Well, Senator Jones, you stated this hole in a doughnut applied only to Springfield. If I recall, when that legislation was passed and the information surfaced that we didn't know about, it included places like Peoria and Wood River and some other parts of the state, Galesburg. Does this apply to that...to that area or is this constructed only to apply to the Springfield area?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

I've been informed by a reliable source that Springfield is the only town in Illinois that is contemplating on doing...annexation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, Springfield, under its home rule unit under the old...government of commission which was...went to alderman form and mayor due to federal court dictate, they deannexed it. There is some debate whether it would...they have the power to do that and now that the new governmental agency is in place, who has the power or not. I understand the mayor is strongly pushing forward that this be reannexed 'cause he voted...he was the one vote No of the deannexation last year. I...I, frankly, have some real problems of what this does or doesn't do. I have a question also. What are you putting in here when you say the interest on federal grant fund shall be treated as federal guideline dictates? What does that mean?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

...let me defer that portion to Senator Demuzio who requested that this be in there as it relate to the use of the federal funds.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

...I'm...I...I...if Senator Davidson would restate the question again, I...I didn't...I didn't know it was being directed toward me, I'd be glad to respond.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Davidson.

SENATOR DAVIDSON:

Well, in this...information, it says the bill is further amended to provide that interest on federal grant funds shall be treated as the federal guidelines dictate. What does that mean?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Demuzio.

SENATOR DEMUZIO:

Senator Davidson,...this bill was introduced at the request...of the community action agencies in Illinois...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let's break those conferences up by Senator Demuzio there.

SENATOR DEMUZIO:

It was introduced at the request of the community action agencies in Illinois where they have the opportunity to invest federal funds from grants that they receive. This provision would afford them the opportunity to use the interest in the programs rather than having to return it to the federal government.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Point of clarification of the sponsor, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR RAICA:

I may have misunderstood you, Senator Jones, but does this bill affect all mobile parks or one specifically?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

It affects all.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President, I...got...I think the question was answered for me, so I'm all right.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Jones may close.

SENATOR JONES:

Yeah, thank you, Mr. President. Now that members have been clear on the various issue, those of you who have a mobile park in your district, this will benefit those persons who...who will...who reside there who wish to purchase a mobile home. And in response to Senator Davidson, as it relate to the annexation and...and the...the...the desires of the current mayor, this is the legislation that he needs in order for him to take...do what he want to do as it relate to annexation. If you have small businesses in your district and they have a tax problem and must come before the...the Department of Revenue, this helps them because they no longer will have to have a lawyer for an informal hearing. And many of you received letters to that effect. It is a good Conference Committee Report and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

At the request of Senator Woodyard on...the propriety of all aspects of the bill, it's...since all aspects of the

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Conference Committee Report deal with the subject of interest and real property, it is germane. So the question is, shall the Senate adopt Conference Committee Report No. 1 to House Bill 3007. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 22, none voting Present. The Senate does adopt Conference Committee Report No. 1 to House Bill 3007 and the bill having received the required constitutional majority is declared passed. House Bill 3264...Senator Berman. No. House Bill 3425, Senator Macdonald. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

(Machine cutoff)...Conference Committee Report on House Bill 3425.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. The...First Conference Committee Report merely puts the zoning of transfer stations made applicable only to Cook County. When this bill went over to the House there was an objection by Representative Breslin and some of the downstate Representatives over there and they did not want this language to apply to downstate. So this now only applies to Cook County, and so I think there is no problem with it. This bill went out of here with a very strong vote and I would advocate that we...pass the First Conference Committee Report on 3425.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...is there discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 1 to House Bill 3425. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas

are 54, the Nays are 1, none voting...or 2 voting Present. The Senate does adopt Conference Committee Report No. 1 to House Bill 3425 and the bill having received the constitutional majority is declared passed. Oh...Senator Severns.

SENATOR SEVERNS:

Thank you, Mr...President. I rise for a point of privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR SEVERNS:

It's my honor and pleasure to have today in the President's Gallery, my parents, Don and Helen Severns, from Decatur and Rich Covington from Stonington.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would they please rise and be recognized. House Bill 3739, Senator Degnan. House Bill...or Senate Bill 2147, Senator Severns. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 2147.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Severns.

SENATOR SEVERNS:

Thank...thank you, Mr. President and members of the Senate. I move to concur with the First Conference Committee Report on Senate Bill 2147. In this report we receded from House Amendments 1 and 4 and added language offered by the State Board of Education which changed an...eligibility date. I move for its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 2147. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes

are 57, the Nays are none. The Senate does adopt Conference Committee Report No. 1 to Senate Bill 2147 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...be at ease for about two, three minutes, we're waiting for...our Supplemental No. 5 which is being printed and will be distributed in about two, three minutes. Senator Watson, for what purpose seek recognition?

SENATOR WATSON:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR WATSON:

Each year, as you know, we have the annual Legislative Tennis Tournament and this year was no exception. On June 8th, we held the tournament and it's always been sponsored by in the past Southwestern Illinois Industrial Association. Bob Walters, who used to be a legislator, is chairman and executive director of the Southwestern Illinois Industrial Association puts on this event each year. This year he was helped with Randy Witter and Bob Cook. And we, as legislators, always appreciate being involved in the tournament and making that available to us. But I have to tell you, this is one of the best years that the Senate has had in quite sometime. In the All American division, which is the...just as it says, the All Americans, we got Senator Art Berman and our Parliamentarian, Darrell Widen, won the thing. So, we ought to give them a hand, and we have for them trophies which I'd like to present. I understand that Senator Berman is off the Floor but, Darrell, a plaque for your efforts. And they defeated for the championship Dick Marshall, from Shell Oil who was sitting in the Gallery but has since left, and Boro...just Boro, we know him as Boro, from the IMA...Reljic, okay, Boro Reljic from the IMA. In the non-All World division, in other words, the rest of us,



another state Senator did quite well, my former seatmate from Prophetstown, Senator Cal Schuneman. Senator Schuneman and Scott Mailand from the Illinois Hospital Association won the...the not-so-All World division. And they beat two Reps., we won't even mention their name. But, anyway, we thank the participants, we thank Randy Witter and Bob Cook and Bob Walters from the Southwestern Illinois Industrial Association for hosting the event. And thank you, Mr. President, for giving me the opportunity to make these presentations.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We're happy to have it in the record. Any further announcements? Resolutions.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 1295 offered by Senator Newhouse.

Senate Resolution 1296 offered by Senator Watson.

They're both congratulatory.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Consent Calendar. (Machine cutoff)...DeAngelis, for what purpose are you screaming on the Floor? Having an Italian caucus here at the front of the Podium.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...on your original Calendar, back to the...Senator Savickas, we don't...that...that Message has not been...been...it's not here yet.

PRESIDING OFFICER: (SENATOR SAVICKAS)

What purpose does Senator Lechowicz seek recognition?

SENATOR LECHOWICZ:

Well, Mr. President, I'd like to request a Democratic Caucus, maybe meeting in the President's Office, give us some indication what's going to be going on for the rest of the evening.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, just hold that motion back for a few minutes.

Pages are now in the process of distributing our Senate Calendar Supplemental No. 5. Senate Calendar Supplemental No. 5. And I think once we run through these bills, we'll have time to either go out for dinner or have a caucus. We have a half a dozen bills left. Senator Jones, for what purpose do you arise?

SENATOR JONES:

Yeah, thank you, Mr. President. Point of information. Is the train being loaded at this time, the membership would like to know?

PRESIDING OFFICER: (SENATOR SAVICKAS)

The train is still at the station. Everybody has a copy now of our Supplemental No. 5. Everyone has received the copy of the Supplemental No. 5 and the Conference Committee Reports are being distributed. Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Mr. President, we have not received the supplemental Calendar yet.

PRESIDING OFFICER: (SENATOR SAVICKAS)

It's being distributed, Senator. Pages, would you make sure that our leadership on the Republican side gets a copy of the Calendar. All right. If everyone has Senate Calendar Supplemental No. 5...should all be on your desks and the Conference Committee Reports are distributed. We will start with House Bill 3150, Senator Carroll. Senate Bill 43, Senator Berman. Senate Bill 1697, Senator Etheredge. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1697.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the

Senate. This is the bill which establishes the level for the monetary award program of the ISSC. What this Conference Committee Report does is to increase the level from thirty-one hundred dollars to thirty-one hundred and fifty dollars for full-time students and from...and up to fifteen seventy-five for each part-time student. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

...he indicates he will.

SENATOR LECHOWICZ:

What's the status of the Conference Committee Report as far as the number of students that are supposed to be involved? If you recall, the Illinois State Scholarship Commission notified each and every one of us that there would be a reduction in the number of grants available based upon funding levels.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, this is the substantive bill which identifies the...the funding level, the maximum funding level. The number of students that will be served is going to be determined by the amount of money that we appropriate and the appropriation's bill will be coming along, I hope within the next few hours.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

So, all you're doing on this bill is raising the fee from

thirty-one hundred to thirty-one fifty and a supplemental increase as far as on the part-time. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 1697. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 57, the Nays are none, none voting Present. The Senate does adopt Conference Committee Report No. 1 to Senate Bill 1697 and the bill having received the constitutional majority is declared passed. Senate Bill 1856, Senator del Valle. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1856.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator del Valle.

SENATOR del VALLE:

Thank you, Mr. President. I move to adopt the First Conference Committee Report to Senate Bill 1856. The House recedes from the two amendments, it...it deletes everything after the enacting clause and inserts Senate Bill 1856 as was originally introduced and passed in the Senate. This adds the chronic truancy rates to the list of required elements which must be reported on the school's report card.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 1856. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 48, the Nays are 6, 1 voting Present. The Senate does adopt Conference Committee Report No. 1 to Senate Bill 1856 and the bill having received the required constitutional majority is

*SB 1860  
1st E.C.R.*

declared passed. Senate Bill 1860, Senator Welch. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1860.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Senate Bill 1860 is an agreed bill that will raise funds to fund the superfund program as well as the Environmental Protection Agency and the Pollution Control Board. After negotiations over the last several weeks, an agreement has been reached between the business community, the environmental community, and I know of very little opposition to this bill. The bill in particular, the changes...the House amendment that was put on in the House has been taken off. The bill now triples the fee for hazardous waste. Secondly, what it does is it sets forth a statement as to the use of monofils in the State of Illinois. Third, what it does, it puts a cap in respect to hazardous waste generated by a single generator deposited in monofils at certain levels between twenty and thirty thousand dollars. It changes back the fee for treatment from nine cents back to three cents per gallon for treatment of hazardous waste. And further, it allows for the Pollution Control Board to receive an amount not to exceed two hundred and fifty thousand dollar annually from certain funds that are collected for air pollution and other forms of fees by the state. In addition, a manifest fee is provided at one dollar each with a limit of two hundred and fifty dollars per generator with a threshold of twenty manifest being used. The objections that were raised by the Municipal League have been eliminated as well as the objection raised by the realtors. I would be glad to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Indicates he will.

SENATOR GEO-KARIS:

Did...was there an increase in the fees to be deposited in the Hazardous...Hazardous Waste Fund by two and a half percent?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The bill will increase the fees deposited in the Hazardous Waste Fund over a period of three years. It's going to be phased in, the ultimate fee will be three times the existing fee. Right now it's three cents per gallon, it will go up to nine cents per gallon in three years.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The reason I'm asking you is that our analysis says that..."Increases the...the portion of such fees to be deposited in the Hazardous Waste Fund by two and a half percent." All I would like to know is, what is the...if you increase it by two and a half percent, where will...what will be the total percentage?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

The monetary amount, Senator, right now, is 1.2 million dollars a year. The monetary amount in three years will be 3.6 million dollars if the current amount of landfilling continues. When we passed this bill in 1984, the same fee at three cents raised 1.8 million dollars. We've reduced the

amount of hazardous waste landfilling to the point where we collect only 1.2 million.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Does it...going by my analysis here and that's why I'm asking these questions. Is there going to be...there's a statement here that "This bill constitutes a service mandate for which reimbursement of the increased costs to units of local government is required." Is that right?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Senator, do you have the right analysis there? I...I don't think that is the right analysis. This has nothing to do with that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the...if not, the question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 1860. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt Conference Committee Report No. 1 to Senate Bill 1860 and the bill having received the constitutional majority is declared passed. For what purpose does Senator Woodyard arise?

SENATOR WOODYARD:

...thank you, Mr. President and members of the Senate. I would like to ask leave of the Body to change...as chief sponsor of Senate Bill 1706, to change the sponsorship to read as chief sponsor Senator Netsch, Senator Woodyard-Senator Demuzio and Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there any objection? Hear-  
ing no objection, leave is granted. On Senate Bill...1889,  
Senator...Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Of which sponsors? Senator Woodyard.

SENATOR DAVIDSON:

The Conference Committee Report. Sorry. I'll wait till  
he...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Woodyard on 1889. Madam Secretary.

SECRETARY:

First Conference Committee Report...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Take it out of the record. Senator Berman on Senate Bill  
43. Madam Secretary.

SECRETARY:

(Machine cutoff)...Conference Committee Report on Senate  
Bill 43.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the  
Senate. Senate Bill 43 is a bill that addresses the problem  
that we have been unable to address for several years and  
that is the problem of asbestos in our schools. What the  
bill does as to the downstate school districts, it...it...it  
enlarges the language of the...fund which will allow them to  
utilize their existing levies for the addressing of the  
correction necessary for the removal of asbestos. There is  
an optional provision in here regarding the Illinois Housing  
Development Authority, if they make funds available through  
the issuance of bonds, the school districts can utilize on an



optional basis the funds available through IDFA...through IHDA for these funds. As to Chicago, it creates this fund with a five-cent levy which is available to assist them in the cost of removal of asbestos. Be glad to respond to any questions and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senator Berman, we've got a few questions on this, would you mind taking it out of the record for the time being?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Out of...take it out of the record. Senator, does that also apply to 2185? Well, how about Senator Berman...on House Bill 3264. Senator Berman, on Supplemental No. 4, we had House Bill 3264.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...for what purpose do you arise, sir?

SENATOR BERMAN:

On 3264, which the President called, I'm ready to proceed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Supplemental Calendar No. 4...Supplemental Calendar No. 4...is House Bill 3264, on the Order of Conference Committee Reports, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3264.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is...provides for the...licensure of social workers as well as clinical social workers under the Clinical Social Work and Social Work Practices Act. This Conference

Committee Report represents the agreement between the various groups including the social workers, clinical social workers, the department, the Illinois Hospital Association, the medical society and other interested medical professionals. The Conference Committee Report is essentially the same in substance as the bill as it passed the Senate. Changes have been made in response to requests by the Department of Professional...recognition...or Regulation that clarify that certain provisions apply to social workers and clinical social workers equally. I'll be glad to respond to any questions, it is an agreed report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, simply to second basically what Senator Berman has said. The...the negotiations between the various groups representing social workers has been going on throughout this Session and they have reached agreement as embodied in this Conference Committee Report. I would urge the members on this side to support the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3264. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3264 and the bill having received the required constitutional majority is declared passed. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

Mr. President, I was called out to the Rotunda, and had I been present, I would have voted Aye on 3264.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so indicate. (Machine cutoff)...this announcement that Supplemental Calendar No. 6 will be down within a very...in the next few minutes, so we'll just stand at ease for just about five minutes. It's my understanding that Supplemental Calendar No. 6 has now been passed out. Do you all have Supplemental Calendar No. 6? It's my understanding that on page 3,...we'll begin with the Senate Bills because that material apparently has now been passed out, it is at your desk. Momentarily we will have the balance of the synopsis on the House bills that will be passed out. So, we'll give you a moment to...get your conference committees in order and we will start on the Order of Conference Committee Reports in the middle of page 3...with the Senate bills. Newswatch 8 is WXFL--Television in Tampa, Florida has again requested to...to tape. Is leave granted? Leave is granted? Senator Jacobs, for what purpose do you arise?

SENATOR JACOBS:

Yes, Mr. President, I'm shown as a cosponsor of Senate Bill 2202 and I'd like to have myself removed from that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jacobs...requests to remove himself as a cosponsor of House Bill 2202. Senator Jacobs, 2202? All right. He wishes to be removed. Is leave granted? Leave is granted. So ordered. Senator Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Thank you, very much, Mr. President. I'd be very happy to replace Senator Jacobs as a hyphenated sponsor of Senate Bill 2202.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz requests leave to be shown as the co-sponsor of House Bill 2202. Is leave granted? Leave is granted. So ordered. Senator Mahar, for what purpose do you

arise?

SENATOR MAHAR:

Thank you, Mr. President, same request as Senator Jacobs, I'd like to see my name also removed as a hyphenated sponsor of 2202.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Mahar has requested leave to be withdrawn as a hyphenated cosponsor of House Bill 2202. Is leave granted? Leave is granted. So ordered. Senator Topinka.

SENATOR TOPINKA:

Yes, would you please remove my name from Senate Bill 2202.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Same request, Senator Topinka seeks leave to remove her name from House Bill 2202. Is leave granted? Leave is granted. So ordered. On page 3 of...Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Same request, off 2202.

PRESIDING OFFICER: (SENATOR DEMUZIO)

And Senator Dudycz also both request to be...to be withdrawn as cosponsors of House Bill 2202. Is leave granted? Leave is granted. I hope I'm not on there. Senator Raica also requests leave to be removed. Leave is granted. Senator...I'm sorry, Senator Raica.

SENATOR RAICA:

Just in case one of my bills did slip out of the Senate, you can take it off 2202. I don't even know if it's on there, but we wouldn't want that on there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Leave is granted. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Thank you, Mr. President. Same request, off of 2202.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hudson seeks leave to be removed. Is leave granted? Senator Macdonald, same request? So ordered. Senator Keats. Senator Keats.

SENATOR KEATS:

The rats are leaving the ship, could you get me off too, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Keats requests...all right. Page 3. Senate Bill...1689, Senator Rock. 1689, Madam Secretary. WCIA requests permission to tape. Is leave granted? Leave is granted. Channel 2 in Chicago. Leave granted? Leave granted.

SECRETARY:

First...

PRESIDING OFFICER: (SENATOR DEMUZIO)

1689, I'm sorry...

SECRETARY:

...First Conference Committee Report on Senate Bill 1689.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock. Senator Rock. Apparently it isn't working,...Senator Rock at Senator Savickas' desk.

SENATOR ROCK:

Did I see Senator Philip go across the hall with a screwdriver? No, I guess not. Ladies and Gentlemen of the Senate, if I can have your attention, Senator Philip and I, as you know, have been meeting with the other legislative leaders, and so I think once we run Calendar 6...I don't think Calendar 6 is of much controversy, I am told, the appropriations conferees have worked rather diligently. Once we finish with Calendar 6, Supplemental No. 6, we will then take a break and I will be requesting a caucus, and I...I don't know what Senator Philip is going to do. But let's run this Calendar and then we'll get down to the nitty-gritty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

1689, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1689 is the ordinary...appropriation for the ordinary and contingent expenses of the Board of Higher Education plus the grants and the grant programs. Personal Services have been reduced so that the increase is 5.7 percent as opposed to the originally proposed seven percent. The level of funding is nine hundred and seventy-seven thousand greater than the Governor's. I know of no objection and I would solicit a favorable Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Carroll.

SENATOR CARROLL:

Just,...if I can, Mr. President, Ladies and Gentlemen of the Senate, since a lot of questions are being raised, I though it might be an opportune time on the first budget bill to try and identify where we think we are at. And let me take a moment also to congratulate my colleagues who served as the coconferees throughout the process, Senator Hall, Senator Maitland, Senator Etheredge and the House equivalencies. We set a guide of trying to live within the numbers preannounced by the Governor and not Economic and Fiscal, but the Governor, as to what revenues were available to be spent including what was in the bank. We believe if the Legislature takes the action as suggested by the ten conferees we will, in fact, live within those spending limits, and we'll talk a little bit more about that later if we do. Within that, we felt there were some needs that had to be met beyond that which was introduced by the Governor, not...not to the extent that we would have liked to have seen but to the extent that revenue was available. Therefore, within our various guidelines we announced in March and April

and what we were able to accomplish in the conferences, we found two hundred million dollars available for education in Illinois, sixty-five million to be spent in higher education and a hundred and thirty-five million over last year's level in elementary and secondary education. As Senator Rock so well pointed out, this would then grant a 5.7 increase in salaries to those people who received nothing last year and therefore try and bring them somewhat nearer to what's happening throughout the rest of government. These budgets if passed will allow us to present to the Governor a budget that he can sign, each and every line, each and every dime, still have two hundred million in the bank and use his numbers which are a hundred and forty-two million under Economic and Fiscal, use his numbers, and start with and end with the available balance he wants. And with that, I concur in Senator Rock's motion that we adopt this Conference Committee Report and as any others come up would be willing to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further...Senator...Senator del Valle...Senator del Valle's light is on. No further discussion, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1689. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1689 and the bill having received the required constitutional majority is declared passed. Senate Bill 1690, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 1690.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the appropriations bills for the Illinois Community College Board. It does appropriate a total of two hundred million a hundred and forty-nine thousand three hundred dollars. I would move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1690. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1690 and the bill having received the required constitutional majority is declared passed. Senate Bill 1692, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 1692.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and members of the Senate. This is the annual appropriation for the University of Illinois in the amount of five hundred and fifty-nine million nine hundred and six thousand dollars. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1692. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?



Take the record. On that question, the Ayes are 58, the...the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1692 and the bill having received the required constitutional majority is declared passed. Senate Bill 1693, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 1694.

PRESIDING OFFICER: (SENATOR DEMUZIO)

1693, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 1693.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you. That's better. Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the operations budget for the Board of Governors, a hundred a eighty-nine million. I would ask for adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1693. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1693 and the bill having received the required constitutional majority is declared passed. Senate Bill 1694. Is there leave to have Senator Carroll handle that? All right. Senator Ralph Dunn, I beg your pardon. Is leave granted? Leave is granted. Senate Bill 1694, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 1694.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ralph Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President and members. This is the operation budget for Southern Illinois University. The Conference Committee Report was two hundred and six million three hundred and thirteen thousand six hundred dollars. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1694. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1694 and the bill having received the required constitutional majority is declared passed. Senate Bill 1695, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 1695.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is the operating budget for the Board of Regents which covers Illinois State, Northern Illinois, Sangamon State and Bureau of the Regents Office, two hundred and five million a hundred and sixty-one dollars three...a hundred and sixty-one thousand three hundred dollars. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall

the Senate adopt the First Conference Committee Report on Senate Bill 1695. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1695 and the bill having received the required constitutional majority is declared passed. Senate Bill 1696, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 1696.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge. All right. I beg your pardon, you look alike. Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1696 appropriates funds for the ordinary and contingent expense of the State Scholarship Commission. This is the first report, three hundred and eleven million. I move for the adoption of this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1696. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1696 and the bill having received the required constitutional majority is declared passed. Senate Bill 1742, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 1742.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This is the annual appropriations for the Department of Financial Institutions at five million one hundred and fifty-nine thousand nine hundred dollars, about two hundred and seventy-one thousand less than introduced which is a result of some thirteen new positions being eliminated. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1742. Those in favor vote Aye. Those opposed Nay. The voting is open. (Machine cutoff)...the record. On...on that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1742 and the bill having received the required constitutional majority is declared passed. Senate Bill 1751, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 1751.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall. Oh, I'm sorry. I did that on purpose this time. Senator Etheredge.

SENATOR ETHEREDGE:

We...the secret is now out, Senator Hall and I are...are twins. And...Mr. President, Ladies and Gentlemen of the Senate, this is the...this is the Conference Committee Report on the Department of Alcoholism and Substance Abuse. It appropriates seventy-seven million three hundred and ninety-six thousand eight hundred dollars. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Collins.

SENATOR COLLINS:

Yes. Question of the sponsor. Senator...Carroll and...and...were we able to...and I just got this report because I...I'm concerned. I had thought that we would have a caucus to talk about some of the decisions that you made in order to accomplish...bring the budget down to...a level to fit within the...the revenue. But I...while I recognize and...and...and...and commend all of you for the hard work that you've done, I do think that each of us have a responsibility also to know what you're doing and...and why you're doing it and...and also to either concur or not concur with those priorities. There are some budgets, particularly like this budget and some of the other key social services budgets, that I would like to know specifically what you're cutting from and whether or not they are receiving any priority in this money that...that I think Senator Carroll said you found. I don't think that there's any lost money anyplace, that we don't just find money, we either take it from some place and I want to know where you're taking it from, and...and...and I thought we would have a caucus before we move on some of these budgets. As it relates to higher education, I am willing to go along with that but some of the other critical areas, we need to talk about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further...I beg your pardon, Senator Carroll.

SENATOR CARROLL:

Yeah, Senator Collins, I apologize if we have not kept you informed. We have, in fact, produced for this budget about three and a half...about three and a half...two, I'm sorry,...two and a half million dollars more than the Governor had allocated when this budget came to the General Assembly. We included in here specifically at Senator Etheredge and my request a five percent rate increase to the service providers recognizing that the issues of substance abuse and alcohol abuse...what do you want, the socks...are amongst the

most severe and critical issues facing the people of Illinois, so that amongst the cuts we found elsewhere we, in fact, added significant monies to the service providers of alcoholism and substance abuse and added some money for non-residential substance abuse services, et cetera, et cetera, et cetera.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Of particular interest to me whether or not there were any additional money or any money for dealing with the whole problem of intervenous drug users in that that population is probably one of the highest risk groups of...of spreading AIDS to the heterosexual community, and I just wanted to know whether or not any money...additional money was put into address that...I think which is one of the most critical social problems that's facing the state.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Carroll.

SENATOR CARROLL:

I think if the question is to me, the answer would be yes, that is within the advances of money we created for this department, absolutely.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the First Conference...Senator Collins.

SENATOR COLLINS:

I...I still wanted to know whether or not there was a line item to do just that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall the...Senate adopt the First Conference Committee Report on Senate Bill 1751. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 2 voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1751 and the bill having received the required constitutional majority is declared passed. Senate Bill 1897, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 1897.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

(Machine cutoff)...you, Mr. President. This is the annual appropriation for the universities civil service system in the amount of seven hundred and sixty-one thousand six hundred dollars. Appreciate adopting.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1897. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1897 and the bill having received the required constitutional majority is declared passed. Senate Bill 2022,...Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 2022.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the CDB new projects bill. I think all of you have a copy of the summary of this bill so that you can see what the...what is contained within the bill. I think the important thing to note is that the GRF funding level is the same as it was introduced and the other funds, the CDB...CDF is at an amount of two hundred and three million five hundred and forty-four thousand dollars. I'd be happy to respond to any questions...ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Senator Watson.

SENATOR WATSON:

Yes, I'd like to question the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator Watson.

SENATOR WATSON:

I see here House Amendment No. 2 adds two hundred thousand dollars for the construction of log cabins at a state park in Clinton County. That happens to be part of my district. I'd like to know what that's all about,...and what are we doing? And why are we doing it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I note that this is a...a House Amendment and I have a copy of the summary...the same summary in front of me that...that you have, so at this point in time, you have as much detail as I have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver. Senator Watson.

SENATOR WATSON:

Well,...we're talking about two hundred thousand dollars



here that we're...putting into the Capital Development Board budget. Is this...obviously wasn't budgeted, wasn't part of the original budget. It's going to be in my district, so I guess probably I ought to be for it, but I just, you know, think that maybe two hundred thousand dollars could be spent better elsewhere than building log...cabins in...in a particular state park in...Clinton County. It doesn't even identify the state park. Just a lot of questions in regard to that particular amendment and I'd like to have more information if the sponsor could get that to me at a later date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? He can mail that to you tomorrow. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank...thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, most of these appropriations that we're passing are appropriating general revenue funds and...and I think the committees have done an admirable job in trying to...to hold those appropriations down. This seems to be an exception, because this...this bill was introduced at the level of a hundred and seventy-three million, passed the House at a hundred and ninety-nine million, passed the Senate at two...at a hundred and eighty-six million, is now at two hundred and thirteen million. We seem to be going the wrong direction here if we're trying to...control spending in the future years. Is the administration on board on all these amendments and all these added projects?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

No, Senator, I cannot make that announcement on behalf of the administration. I'm sure that if this does arrive on the Governor's Desk that it will be the...the source of a good deal of future discussion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I...I hope that when we vote on this we all realize that there's a little fantasyland involved here and that these projects...probably most of these added projects aren't going to really take place. Unfortunately, it's been my experience that once in a while fantasies do come true and we may be funding some things we shouldn't. I just want to point that out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have to concur with the previous speaker. Basically, you know, what we're trying to do is pass a budget out of here within the Governor's guidelines. And, unfortunately, this budget...or this Conference Committee Report 2022, there's an awful lot of add-ons that had not passed the Senate before. We're talking about twenty-seven million dollars in add-ons. Now if you take a look at your staff analysis, I would imagine...I, for one, would like to know exactly for what purpose we're going to be spending three hundred and seventy thousand dollars for construction to the House Representative's offices. I, for one, would like to know why we're going to be spending an awful lot of money and four million...two hundred and seventy-seven thousand dollars is added here for Johnny Logan Community College. I, for one, would like to know exactly why we're adding two hundred and forty-five thousand dollars for the Army Trail Nature

Center in Addison. I, for one, would like to know why we're...adding two hundred and fifty-thousand for the Cultural Art Center in Addison. You know, we're talking about items that have not been funded before. I'd think that if you're going to be responsible and asked...to say, we're cutting back in other programs but in CDB we're putting in all our pet projects just sends a bad signal to the people of Illinois, just sends a very bad signal to the BOB, just sends a bad signal for all of us. And if you approve of these additional add-ons of approximately twenty-seven million dollars, then vote Aye. But I'll be voting No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If...Senator Etheredge, you wish to close? Senator Etheredge, you wish to close? Senator Etheredge.

SENATOR ETHEREDGE:

Well, I think all of us have had the opportunity to review this bill last year, many of us in...in prior years. I think we...we fully understand that there are some add-on projects and we also understand that they will be the topic of discussion with the...with the Governor. And I would suggest that...that we vote this...that we send this bill down to the Governor and carry on those discussions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 2022. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 16, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 2022 and the bill having received the required constitutional majority is declared passed. All right. If you'll turn...your Calendar to page 2...page 2 of

your Calendar. Supplemental Calendar No. 6 is House Bill 3162, Senator Carroll. 3162, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3162.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the ordinary and contingent expenses for the operation of our coequal branch of government, the Supreme Court. It ends up at...just under a hundred and fifty-five million. They had originally had in the budget book a hundred and eighty-one million. This will allow for the test system of mandatory arbitration in Peoria and Tazewell Counties and for the creation by fee of a similar test in the County of Cook in non-general revenue funds. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3162. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3162 and the bill having received the required constitutional majority is declared passed. House Bill 3199. House Bill 3204, Senator Mahar. House Bill 3204, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3204.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This is the annual appropriation for the Department of Central Management Services and this year they will be funded at seven hundred and twenty-one million nine hundred and forty-six thousand four hundred dollars. And I am advised by the department they are delighted to get away with only fourteen million dollars cut from their budget as introduced. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3204. Those in favor will vote Aye. Those opposed Nay. The voting is open. (Machine cutoff)...voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3204 and the bill having received the required constitutional majority is declared passed. House Bill 3205, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3205.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Ralph Dunn.

SENATOR RALPH DUNN:

Thank you. This is the ordinary appropriation for the Department of Corrections, Conference Committee Report No. 1. It was introduced at four hundred and sixty-seven million four hundred and ninety-one thousand dollars. The Conference Committee Report reduced it down to four hundred and fifty-five million nine hundred and thirteen thousand eight hundred dollars. And I'd move the adoption of it and urge a Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3205. Those in favor will vote Aye. Those opposed Nay. The

voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3205 and the bill having received the required constitutional majority is declared passed. House Bill 3227, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3227.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, this is the Department of Transportation's budget, minor...minor budget. It was introduced at one billion nine hundred and fifteen thousand three hundred and seventy-four thousand four hundred and fifty-one dollars. The conference committee worked diligently yesterday and last night and have now come up with an agreement to one billion nine hundred and twenty million six hundred and forty-eight thousand six hundred and eighty-eight dollars. There's several amendments and add-ons that I'm sure the members are aware of and probably will be supporting and...as I will also. And I would appreciate your Yes vote. This is...you know, I might as well say it now, I was going to say it...this isn't really the way this process ought to work, and I think we all realize that and a lot of us are frustrated in sitting here and listening to the way and the manner in which we're going about this. And I just...I personally resent it. I don't know, maybe...maybe this is the only way we can do it and maybe it's the only way in town and...but it's...it's not my way and I just think it's not appropriate. But I'm going to...but I'm for their bill, I'm for the Department of Transportation and appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, is their further favorable comment? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3227. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 1 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3227 and the bill having received the required constitutional majority is declared passed. House Bill 3228, Madam Secretary.

SECRETARY:

House Bill 3228, First Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This is the annual appropriations for the Department of Revenue. And the dollar amount is one billion seven hundred and thirty-eight million one hundred and ninety-nine thousand one hundred dollars. If there are no questions, I'd move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3228. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are 1, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3228 and the bill having received the required constitutional majority is declared passed. House Bill 3231, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3231.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. This is the reappropriation bill for the Department of Transportation. After the conference committee work the bill now is one billion eight hundred and six million fifteen thousand nine hundred and forty-six, down roughly four hundred million from...from introduction, so a lot of work and effort went into this one. And I'd be glad to answer any questions, otherwise, appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3231. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3231 and the bill having received the required constitutional majority is declared passed. House Bill 3233, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3233.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This is the annual appropriation for the Health Care Cost Containment Council. It's in the amount of two million one hundred and twenty-six thousand dollars. It's in the same shape as it passed out of the Senate and I would have a question for Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll indicates he will yield. Senator Hawkinson.



SENATOR HAWKINSON:

Senator, I was advised at the time we passed this Senate Committee Amendment which is the final shape of this conference committee that we were, in fact, providing too much money for the hospital reimbursement because of the change in the rules and the removal of the minimum. And since there's been no change, I wonder if there's been some change in the thinking on that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

END OF REEL

REEL #4

SENATOR CARROLL:

Thank you, Mr. President. Senator Hawkinson, as you'll recall, there were two different versions of what we should do with the small hospitals and no one is really sure yet what the final answer should be. As you know, we suggested to the board that they decide that issue. I know they were supposed to have met a day or two ago, I honestly had not heard from them as to whether they did or did not make a change. My recall is that this is less than the full four hundred per half or eight hundred but does give them more than the ten cents a page, it's somewhere in between, and now the department is going to have to figure out...or the board what to do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Well, I stated in debate when we passed the Senate amendment whether it was last week or the week before, and it was understood then that the board had already acted and had removed and that's what they advised me is that they did remove that minimum and that this amount was, therefore, although it was somewhere in between was not necessary. I think at this point I'm obviously going to recommend the adoption of the Conference Committee Report, but I think we may have to make some changes perhaps in the fall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I believe, Senator Hawkinson, they may have misspoke. What they told me was they were going to try and do a phone

poll then and that they were having a formal meeting on...I thought it was the 28th. In their phone poll they presumed they would go along with the change although there was some strenuous opposition to that. So we said, advise us after the formal meeting what happened. I have not yet been advised, I don't know if you had, but I'd accept, obviously, if you had whatever that was but I have not been and that's part of the confusion. We did discuss this; in fact, a lot of time was spent on it for the minimal amount of money and nobody had answers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not...I beg your pardon. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. To the previous speaker, Senator Hawkinson, I think the Governor would do well to appoint you the director of Bureau of the Budget. You probably save the state two billion dollars instead of two million. Thanks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3233. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are 2, none voting Present. The Senate does...does adopt the First Conference Committee Report on House Bill 3233 and the bill having received the required constitutional majority is declared passed. House Bill 3237, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3237.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the annual appropriation to the Department of Energy and Natural Resources in the amount of six hundred and forty-two million nine hundred and seventy thousand dollars. I could make some comments about the...the manner in which the scientific surveys have been treated. I think the Senate conferees understand what the problem has been in the past in trying to compensate these professionals for the job that they do but certainly is misunderstood by the House. I'm hopeful that in years to come we can do a little catch up and adequately compensate these scientific professionals if we have any of them left in a year's time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not, then the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3237. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3237 and the bill having received the required constitutional majority is declared passed. House Bill 3240, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3240.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the appropriations bill for the Pollution Control Board. It appropriates one million two hundred and fifty-four thousand four hundred dollars which is approxi-

mately eighty dollars...eighty thousand dollars below the level at introduction. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3240. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, 1 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3240 and the bill having received the required constitutional majority is declared passed. Page 3 of your Calendar is House Bill 3242, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3242.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

Thank you, Mr. President. House...or...Conference Committee Report No. 1 of House Bill 3242 appropriates eight million six hundred forty thousand four hundred dollars for the Police Training Board. I move its...for adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3242. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3242 and the bill having received the required constitutional majority is

declared passed. House Bill 3403, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3403.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this is the annual operating budget for Secretary of State, two hundred and four million seven hundred and thirty-eight thousand seven hundred and fifty-four dollars. Appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3403. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3403 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

A point of information, I note there were...that House Bill 3199 wasn't called or 1697 and they were on the list.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, the sponsor indicated he didn't want to have...didn't want to call it. You do? (Machine cutoff)...leave of the Body, on...Supplemental Calendar No. 5, there's an additional appropriation bill. With leave of the Body, we'll go to that order. Supplemental Calendar No. 5...(machine cutoff)...Bill 3150, Madam Secretary.

SECRETARY:

(Machine cutoff)...Conference Committee Report on House

Bill 3150.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is, in effect, the reappropriation for Build Illinois projects. The report makes technical changes only, it's a numbers change. There was a improper tracking of section numbers. That's all the report did and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? If not then, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3150. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 4, 3 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3150 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, there will be a Republican Caucus in Senator Philip's room at eight-forty-five immediately after you finish here. Am I correct, Mr. DeAngelis, it's at eight-forty-five? It's seven-thirty now, Mr. DeAngelis, it's eight-forty-five those were my instructions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, here, this might...Senator Weaver, for what purpose do you arise?

SENATOR WEAVER:

Can we stand at ease for just a minute, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock...we have...the Senate come to order, please. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I understand that some members do, indeed, wish to get a bite to eat and a breath of fresh air and I certainly can't blame them. I would request...the Democratic members meet immediately in Room 212 for the purpose of a caucus and we will recess until nine o'clock. Immediately...and the Republicans, I'm told, will meet in Senator Philip's office at eight-forty-five.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I'm confirming that again, 8:45 p.m., we are having a Republican Caucus in Senator Philip's office and we are...go and eat before them, is that correct? Right. And we meet here at nine, is that correct, gentlemen?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I'll agree to the last part, I don't know anything about the first part. All right. Senator...Senator Rock indicates a Democratic Caucus immediately in Room 212. Senator Geo-Karis indicates a Republican Caucus in Senator Philip's office at eight-forty-five and we will recess until the hour of nine o'clock this evening, tonight.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. Ladies and gentlemen, leave has been sought by Channels 5 and 7 to shoot some live film, as same leave being sought by WLS-TV, WTSP-TV. A gentleman from St. Petersburg, Florida wishes to take some photographs as does the gentleman from the Tampa Tribune. Is leave granted? Leave is granted. (Machine cut-



off)...from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

House Bill 3280 with House Amendments...pardon me, with Senate Amendments 1, 2, 3, 4, 5, 6, 7 and 8.

I have a like Message on...House Bill 3281 with Senate Amendments 1, 2 and 4.

And House Bill 3282 with Senate Amendments 1 and 2.

PRESIDENT:

All right. Senator Berman will move that the Senate accede to the request of the House that a conference committee be appointed. (Machine cutoff)...Secretary's Desk, I'm sorry. (Machine cutoff)...Calendar 7. Senator Geo-Karis, for what purpose do...(machine cutoff)...

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege.

PRESIDENT:

State your point, please.

SENATOR GEO-KARIS:

Three of my constituents have come down to watch us and to learn from us, I hope, Carol, Jim and Lori Shook from Round Lake Beach, S-h-o-o-k. I ask you to welcome them here, they're sitting in our Republican gallery.

PRESIDENT:

Will our guests please rise and be recognized. Welcome to Springfield. With leave of the Body, we'll move to Supplemental Calendar No. 7. (Machine cutoff)...discuss with Senator Philip, we will move to the Order of 1839. In the meantime, while everybody is collecting their papers and

their thoughts, on the Order of Secretary's Desk Resolutions is Senate Joint Resolution 161. Madam Secretary.

SECRETARY:

Senate Joint Resolution 161 offered by Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Joint Resolution 161 represents the work of the joint Senate-House committee that was appointed to write the arguments for and against the call for a Constitutional Convention that will be on the ballot in November and also to prepare the form of the ballot and the official explanation. The...this has been passed out, I think and hope everyone has had an opportunity to read it. I think we have designed the arguments as fairly as we could on both sides of the question and, of course, the form of the ballot and the official explanation are very straightforward. I would be happy to answer any questions about it; if not, I would move that we adopt Senate Joint Resolution 161.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Senate Joint Resolution 161. Discussion? If not, those in favor of the adoption will vote Aye. Opposed vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Joint Resolution 161 having received the required constitutional majority is declared adopted. The same order, Secretary's Desk Resolutions, is Senate Joint Resolution 162, Madam Secretary.

SECRETARY:

Senate Joint Resolution 162 offered by Senator Netsch.

PRESIDENT:

Senator Netsch.

SB 1839  
W.E.C.R.

SENATOR NETSCH:

Thank you, Mr. President. Senate Joint Resolution 162 also represents the work of a joint committee of the House and Senate to prepare the arguments for and against the amendment that will be on the ballot in November correcting some...what I think could honestly be called deficiencies in our Constitution with respect to voting qualifications. As you know, eighteen-year-olds have the right to vote, our Constitution still says twenty-one. The requirement for residency is six months in our Constitution and it is quite clear that that is unconstitutional and we are reducing it to thirty days. The arguments are fairly straightforward because, for the most part, this is a matter of conforming our Constitution to what is already existing federal constitutional law and so the arguments are relatively simple and straightforward. Again, I would be happy to answer any questions; if not, I would move that the Senate adopt Senate Joint Resolution 162.

PRESIDENT:

All right. Senator Netsch has moved the adoption of Senate Joint Resolution 162. Is there any discussion? If not, those in favor of the adoption will vote Aye. Opposed will vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, 1 Nay, none voting Present. Senate Joint Resolution 162 having received the required constitutional majority is declared adopted. (Machine cutoff)...Berman, are you prepared? Ladies and gentlemen, on the Order of Supplemental Calendar No. 7, Conference Committee Reports, there's a Conference Committee Report with respect to Senate Bill 1839, Madam Secretary.

SECRETARY:

First Conference Committee Report on Senate Bill 1839.

PRESIDENT:

Senator Berman. Can I ask our guests to please restrain their conversations? I'd ask the staff to take the conferences off the Floor. Senator...

SENATOR BERMAN:

Thank you, Mr. President.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. One of the main topics of debate during this current Session of the General Assembly is the issue of Chicago school reform. That is the subject matter of Senate Bill 1839. This Conference Committee Report which is before you at this time represents literally thousands of hours of work put in not only by legislators and staff but I would suggest even more importantly by committed citizens of the City of Chicago and beyond. This entire process started last October when the Chicago school strike ended and there was an unprecedented outpouring of civic concern regarding the operation of our Chicago School System. There is in this bill the product of the consensus opinion of dozens of organizations and thousands and thousands of citizens of Chicago, and let me touch upon the major points in this Conference Committee Report. This bill shifts the power from the central board located at Pershing Road down to the local school. Instead of one central seat of power, we are talking about approximately five hundred and ninety seats of power, five hundred and ninety school buildings in the City of Chicago. The power base is the local school council which is made up of eleven persons. The majority of that local school council membership is six parents which will be elected by parents, two community members who will be elected by community members and two teachers elected by the entire school staff.

That is ten people and the principal is the eleventh. There is spelled out in here the process of nominations for that school council and the process of elections for that school council. There are two-year staggered terms. Local school council with the assistance of the principal and a teacher advisory committee will provide...will develop a school improvement plan for each of these five hundred and ninety school buildings. The school...local school council must approve the plan and will advise the next echelon which is the subdistrict as to the local school improvement plan. The local school council will negotiate and enter into a performance contract with the principal of that school. The local school council has the power upon a vote of seven of its members to name the principal of that school. If a vote of seven members is not achieved, the council will recommend a panel of three from which one of those three will be named as the principal. This bill provides for unprecedented power in the principal, which everyone acknowledges is probably the most important, single person to the effective operation of a school. The principal is in charge of his building, and this may sound ludicrous to people outside of Chicago, but the principal has the keys to the building under this bill. All of the staff in that school is responsible to the principal. The principal has, again, unprecedented, the power to choose all new staff in his school regardless of seniority or tenure. We have expanded the process of evaluation of teachers to include the training of a...of assistant principals and we have addressed the...the remediation period so that teachers who are irremediable can be removed from the classroom after forty-five days instead of the current one year. This bill creates a strong oversight authority. It is a seven-member board created by four appointments by the mayor and three appointments by the Governor. That authority comes into play immediately upon those appointments. They must be

Chicago residents and they are given substantial power to require a reform plan to be adopted by the Chicago Board and power to require performance audits, to require the conformity by the board with the reform plan and even has the authority to suspend, discipline or fire staff people who fail to conform to the requirements of the reform program. There is a reporting requirement to the...Governor and General Assembly by the oversight authority. As to money, this bill does several things. Number one, it is revenue neutral, and let me explain what that means. This bill does not require any expenditure of state funds for the implementation of the reform measures carried in here. It is Chicago reform with Chicago money. We target the balance of forty percent of Title One monies so that those monies that are generated by economically deprived children will follow those children. That money will be phased in over a four-year period and there is a ninety percent hold harmless so that those schools which do not have a substantial number of underprivileged children will not be devastated by this additional targeting of funds. There is an administrative cap, it...which requires Chicago to cut its bureaucracy so that its ratio of administrators can be no higher than the average administrative pupil ratio that exists in other unit school districts throughout the State of Illinois. There is a nominating process for a new board of education from the grassroots up to the mayor's office and authorizes the mayor to make appointments with city council approval. It is a lengthy Conference Committee Report of approximately ninety-two pages, an analysis I believe has been supplied to each of you. I would be glad to respond to questions and I solicit your Aye vote.

PRESIDENT:

Discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Mr. President, I stand in strong support of this bill. I think a lot of work has been put into it to make the Chicago Public School System as quality a system as it can be, and there's a very important reason that I stand in favor of the bill aside from the obvious fact that there have been substantial reforms in terms of the curriculum, the principalships, the local control. Right now, the state average for all unit districts for administrative cost per pupil in the State of Illinois is two hundred and seven dollars and forty-four cents per pupil. The Chicago School District cost for administrative costs per pupil is three hundred and thirty-seven dollars and seventy-four cents. Under the language of this bill, the Chicago School District must reduce its cost for administrative expenditures by one hundred and twenty-six dollars and thirty-three cents per pupil. The average daily attendance in the city is three hundred and sixty-five thousand children times the one hundred and twenty-six dollars per pupil reduction in administrative cost which is a savings of forty-six million dollars in administrative cost which will be transferred from the central office to the service of the kids in the local neighborhoods and the neighborhood schools where the money belongs. This, Mr. President, is significant and it can only help in developing a higher quality of education for those children, and I stand in support of this bill and would hope that each member of our caucus would also do that. Thank you.

PRESIDENT:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. I, too, stand in support of this piece of legislation and I realize how many people have given a little and some have given much to put this package

together. I, too, have been through many kinds of special projects in education where we tried to do something very new, very exciting and I see here that in the Chicago plan they have done a great deal with governance. They have put together a different kind of management process for the Chicago School System, but in the past, when I have worked with situations like that, one of the things we have had to do was to turn to each other somewhere down the line in that project and say two words almost daily and those two words I give to you in Chicago. I hope you put them over the door of every single building and please do not forget them, it should say, "Think kids."

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. For the last few weeks and months, for that matter, we have debated an issue that is important not only to the people of the City of Chicago but to all of the people in the State of Illinois. What we have really done is proceed along the lines of a debate that seems to separate us in...into two models of school reform. One model is a decentralization model. It's the model that, as you all know, passed out of here a few weeks ago with forty-one votes, bipartisan support, twenty school districts. That model was keyed to the electoral process, to letting the people of the City of Chicago elect their own school board members at the district level and at the central board level. We all know that over in the House that didn't fare so well and so what we're considering today is another model, a model that is backed by people just as well-intentioned as those of us who supported our model. It's the model that I think is keyed very directly on the oversight authority given to it, and the reason why the oversight authority is so absolutely critical



with this model is because I don't believe that this model sufficiently gets at...or attacks the concentration of bureaucratic and union power that has rendered the Chicago School System helpless in educating its children. And so it was imperative that we had in this model, the model which Senator Berman presents to you tonight, an absolutely strong oversight authority. We on this side of the aisle recognized that most of the parents down here who came seriously to deal with this issue wanted to go with the model which Senator Berman is presenting this evening. And so in good faith in the last few hours...the last twenty-four hours, we sat down with those people and we asked them to review the oversight and to give us some thoughts how to make that stronger. We wanted to make absolutely sure that if we were to go with this model, it be a model that all the people of the State of Illinois could be proud of and one that we know would work and so we came up with some reasonable suggestions. One, that even though the mayor may be able to control the appointment process for the central school board, the oversight authority is something else. Why should the mayor also control that? Never forget, ladies and gentlemen, that the Chicago school budget is made up of fifty percent general revenue funds, those are dollars that are collected by our...from our constituents across this state, so every Illinoisan and certainly every member sitting on this Floor tonight has a vital interest and stake in the Chicago public schools. So we said, let's work some other arrangement out here. The Governor should have control, and perhaps if not that, three by the Governor, three by the mayor and maybe some swing appointment that would be agreed to by both or someone else like the superintendent of education. We also suggested that one of the provisions that Chicago United proposed, giving the oversight authority the ability to take funds and hold them in escrow until they were used properly

and appropriately by the Chicago School Board was in order because it was the only way that we could guarantee that the Chicago Board would fulfill the mission we send it by this legislation. And we suggested that within the existing twenty administrative districts, let parents choose the school for their children, parental choice to some extent, and we ran this by some folks, leadership on your side of the aisle, and I think the general reaction was these are not the most unreasonable of demands. There may...they may be some problems but let's sit down and talk about them. I would add another one, I don't think you've really given the principal the power over the school. Senator Netsch, how long have you had that bill to give that principal the power of the school, and what have you wanted, you wanted to make sure that the principal could control the engineer in charge and the food service manager in charge. And the fact is that the bill you have before you does not really do that, because when that principal under your bill gives an order to the food service manager or gives an order to the engineer in charge, if they disagree...if either one of those people disagree with the principal, that decision is bucked up to the subdistrict superintendent and who knows how long it's going to take for a resolution of that problem. That violates chain of command; that violates everything we know about management theory. What are we doing? We've not given the principal the control of the school. We've devised a very clever way of taking care of all the entrenched interests, there is no question about that, ladies and gentlemen, but we haven't solved the problem. To get back to this afternoon, it was our fervent hope, those of us on this side of the aisle, that we would be able to come to an accommodation with our friends...our leaders on the other side and that we could work out these three or four provisions and it is now close to midnight and, unfortunately, we have not worked those out

but we have not lost our faith. We think that there is still time, we think that we can still work this out. We think that a second Conference Committee Report can resolve the differences, small as they are. I say, let's vote against Conference Committee Report No. 1, that's what we're going to be doing over here. Let's get it to Conference Committee Report No. 2 so we can come together and solve this problem as a united General Assembly. Thank you.

PRESIDENT:

(Machine cutoff)...discussion? Is there further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I just have three questions that I would like to pose to the sponsor, if I may, please.

PRESIDENT:

Sponsor indicates he will yield, Senator Demuzio.

SENATOR DEMUZIO:

Senator Berman, to alleviate a lot of the questions that are in this huge multipage bill, for the record, this piece of legislation does not affect any school districts or...or personnel outside of the City of Chicago, is that correct?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

And it is also my understanding that the Chicago Teachers' Union is now in favor?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, it's...also my understanding that the IEA is not opposed to this legislation. Thank you, Mr. President.

PRESIDENT:

Further discussion? Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of...of the Senate. I want you all to know that we, on this side of the...aisle, are for school reform and at this point we're not exactly happy with what you call school reform and, quite frankly, you're there about fifty percent. We'd like to see the change of the appointment of the super board. We'd like to see the super board be able to withhold funds from that school district if they don't do what's right. We'd also like to see the parents in each one of those twenty districts pick the school they want their child to go to. We also would like to have the principal to have the choice irregardless of seniority to pick the teacher they think is best qualified for the job. If we defeat this First Conference Committee Report, hopefully, we can come back here tomorrow, do those minor changes and pass true school reform.

PRESIDENT:

Further discussion? If not, Senator Berman, you wish to close?

SENATOR BERMAN:

Thank you, Mr. President. Ladies and gentlemen, the items that were requested by Senators Kustra and Philip were discussed at great length today by the consortium of civic organizations, parent organizations, business organizations that have been down here since Monday, the people from Chicago that have worked so hard on this program. We had

made a commitment to them, those of us from Chicago who have been working on this, that any items in this bill would be items that they by their consensus would approve. Those organizations rejected control of the oversight authority by a majority other than that appointed by the mayor. They rejected the oversight authority having the power to request the comptroller to withhold money, and let me add very specifically, we did not see any language that flushed out that request so we didn't know whether we're talking about a request by a board controlled by someone...by appointees other than the mayor who could request that every dollar in Chicago...for Chicago schools be withheld which, in fact, would close Chicago schools, so we did not see that language. And, thirdly, on the question of parental choice, there are many of us who probably could support that concept but, again, we did not see language so that we could determine, A, whether it was in conformity with a desegregation court order, whether it add a destabilizing factor to the enrollment of classes during the school year and how it would impact on schools where there is a high mobility factor. We did indicate that we would ask the State Board to come back and tell us...submit to us by January 1st a plan that would be reviewable and workable, a plan that they would submit to us by January 1st regarding parental choice. This bill is a bill that has been endorsed by business, by labor, by the parents, by the civic organizations and I ask that it be endorsed by the Illinois Senate on behalf not only of the children of Chicago but for the future of the State of Illinois. I ask your Aye vote.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1839. Those in favor will vote Aye. Opposed vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who

wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 1 Nay and 26 voting Present. The Conference Committee Report is not adopted and the Secretary shall so inform the House. Senator Berman requests the appointment of a Second Conference Committee. On the same order, Senator Demuzio, 3273. On the Order of Conference Committee Reports, there's a conference committee with respect to House Bill 3273, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3273.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Conference Committee Report on House Bill 3273, there is...this was a bill that was originally for the fire protection districts, and what this did was that the House concurred with Senate Amendments 1 and 2 and 3 and added language that would permit township officials who are not eligible to vote on fire protection district board appointments to serve as fire protection district trustees. This conference committee added new language that would permit nonvoting officials to serve as fire protection...district trustees, has been agreed to by the township officials of Illinois, the Fire Protection Districts Association. I know of no opposition. I would ask for the adoption of the Conference Committee No. 1 to House Bill 3273.

PRESIDENT:

Discussion? Any discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he will yield, Senator Davidson.

SENATOR DAVIDSON:

Senator Demuzio, does this six-inch requirement, which I actually have no quarrel with myself, but does...just usurp the zoning powers of either a county or a city who by zoning ordinance says they could have a four-inch for water hydrant, because in some areas I...know that exists, and if your answer is, yes, it does usurp, then I'd like to ask the Chair whether it takes thirty or thirty-six votes.

PRESIDENT:

(Machine cutoff)...Demuzio.

SENATOR DEMUZIO:

Well,...my handlers tell me that there's no preemption in here. Therefore, this would...these are generally accepted standards that are...applicable here.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I...I then have to ask you... 'cause I support the idea of the six-inch mains, but...came out of county government and wrote as a county zoning ordinance, this is saying after the effective date six-inches is required; in my view...humble opinion, that's preemptive and I support the idea, but I would like a ruling so we know whether we've got to have thirty or whether we've got thirty-six votes so there's no misunderstanding for a court challenge.

PRESIDENT:

All right...we are obtaining a copy of the original bill, so it will be a moment. The Chair is prepared to rule, Senator Davidson, it is not...not preemptive. Further discussion? Senator Demuzio may close. If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 3273. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 3273 and the bill having received the required constitutional majority is declared passed. 3570, Senator Smith. On the Order of Conference Committee Reports, Madam Secretary, report on House Bill 3570.

SECRETARY:

First Conference Committee Report on House Bill 3570.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. First Conference Committee...House Bill 3570, the House concurs with Senate amendment...and Senate Amendment No. 2...1 and 2. The Conference Committee No. 1 further amends House Bill 3570 to mandate DCFS to execute a study concerning development of a plan to train prosecutors mandated child abuse neglect, reporters and judges on child abuse and neglect issues. The Conference Committee 1 also includes state employees under the law, enforcement officers, civil defense workers, civil air patrol members, paramedics and Firemen Compensation Act and an Act to provide for the continuation of compensation for law enforcement officers, correctional officers and firemen who suffer disability in injury in the line of duty. The Conference Committee 1 also repeals the section of the Fire Marshal's Act which mandates medical personnel to report treatments of burns affecting five percent or more of the surface area of a victim's body except injury diagnosed as sunburn to the Office of Fire Marshal. Now, section...the section of Conference Committee 1 which includes state employees as a category workers whose families can be compensated for the employee's death in the line of duty or permanent disability in the performance of his or her job addresses the death of a DCFS field employer



in Lombard that was recently. The repeal of the section of the Fire Marshal's Act which requires medical personnel to report treatment of burns except sunburns affecting five percent or more of the victim's body to the Office of the Fire Marshal is a recommendation of the Illinois State Medical Society per an agreement between the Illinois State Medical Society, DCFS and the Fire Marshal's Office. Legislation will be introduced later to address the burn reporting issue. I ask your approval for this.

PRESIDENT:

Discussion? Is there any discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of the adoption of this. I've been the sponsor of the bill which this was put on in a House amendment last year. We did not realize and no one involved...parties concerned to breach confidentiality, and I would urge everybody to vote Aye on the adoption of this Conference Committee Report.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on House Bill 3570. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 3570 and the bill having received the required constitutional majority is declared passed. Senator Jones, 3806. On the Order of Conference Committee Reports, report with respect to House Bill 3806, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3806.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. First Conference Committee Report require that medical service plan organize under the Voluntary Health Service Plan Act be approved for a certificate of authority under the HMO Act. It repeals the immunity for civil liability granted to the medical plans under the voluntary health service plans. It establish conditions under which HMO may require generic or therapeutic substitutions for...prescribed drugs, requires the agents of HMO who solicit public aid recipients to be...to have a limited insurance license and it repeals the sunset of the Insurance Code, the licensure portion and extends it to...from...to 12-31-91 and...removes the requirement that the Emergency Medical Service Act that paramedic trainees be sponsored by and...sponsored by or employed by an agency. That's what's in the bill and I ask for a favorable vote...vote on the Conference Committee Report.

PRESIDENT:

All right. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor...yield for a question, please.

PRESIDENT:

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

I understand if...and please tell me if I'm right, Senator Jones. I understand that the exemption from liability that the Health Service Plan Corporation currently has for injuries resulting from negligence on the parts of officers or employees of the corporation is taken out. So they are...they do have liability, is that correct?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Right now, it's only three that falls under the partic-

ular Act and they are immune for...immune from liability, this takes away that immunity.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, sir. Thanks, Mr. President. I'd like to ask the sponsor a question and clarification.

PRESIDENT:

Indicates he'll yield...indicates he'll yield, Senator Watson.

SENATOR WATSON:

Thank you. On page 4 of the bill, the last line 22, 23 and then on over to page 5, there's a statement that says, "No health maintenance organization shall cause to be dispensed any drug other than that prescribed by a physician." I...I'd like to have that clarified and what does that mean?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, what that means simply is that within the confines of the hospitals and so forth, those drugs now are prescribed by the physician and no substitutes can be made as far as the drugs unless those drugs are approved drugs for therapeutic...services. That's what it means.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Well, that may be the intent but I don't think that's what it says and it doesn't say anything about the confines of a hospital. I...what I...the point I'm trying to bring in regard to that one sentence is, what is the effect that this legislation will have on generic drugs and the substitution?

PRESIDENT:

Senator Jones.

SENATOR JONES:

The language in this, Senator, says "inpatient." Inpatient mean those persons who are...confined within the hospital, and it's on the...therapeutic substitution.

PRESIDENT:

Further discussion? Senator Barkhausen. I beg your pardon, Senator Watson, your light was turned off.

SENATOR WATSON:

It was.

PRESIDENT:

It was.

SENATOR WATSON:

But I'd still like to ask...

PRESIDENT:

But you decided to turn it back on? Senator Watson.

SENATOR WATSON:

Thank you. Appreciate that courtesy. I still honestly...Senator Jones, I don't see that provision in here and I think that this could have a...a negative effect on a situation in which a doctor prescribes medication and also says that...there can be substitution of a generic when it...when it falls within that formulary and I think that that statement says that that generic drug cannot be substituted. I think that's what that means and that's...I believe that's what it says. Now, I'd like for you also to address Section B in regard to the therapeutic substitution and explain that and what's the intent of that particular provision in Section B on page 5.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, as you read it...as you read it, Senator, it indicated that only prescribed by a doctor and so, therefore, that tells you what...what drugs can be administered. Now,

as far as the...as far as the inpatient in the hospital is concerned...now when you go outside the hospital, everything is prescribed by a doctor as such, then...then those drugs can be used. This language was worked out between the pharmaceutical industry. I talked with the representatives of the...of the Pharmacists Association, they said they had no problem with it, so that's where we stand.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Okay. Well, I'm sorry to...to delay this, but I just don't think that's what it says, Senator, and I...also...on Section B...Section B in regard to...therapeutic substitution, I just want to know what direction are we headed and I'd like to know what the intent of that particular section of the Act is involved with and who's going to benefit.

PRESIDENT:

Senator Jones.

SENATOR JONES:

The intent of this is that to...to...see to it that those enrollees under the HMO plan that within the confines of a hospital, those drugs...they only can receive those drugs that be...that the doctor prescribed. Now outside the confines of the hospital, if the doctor prescribes such drugs, then they will be able to get them but not the substitutes that they currently get.

PRESIDENT:

All right...we're...I'm going to have to ask you please to either take it out of the record or let's make the questions and the answers a little shorter. Senator Watson.

SENATOR WATSON:

This will be my final statement on it, and I just...in regard to Section B, the colleges of pharmacy throughout this country are emphasizing now therapeutic involvement and, in

fact, in many...in some states pharmacists can actually get involved in the therapeutic prescribing, and that's a situation in which a doctor says I want a particular category of drugs...and the pharmacist then comes in and says, this is the particular drug that I want to see used. That's where the education is headed, that's where pharmacy as a profession is headed and this is...puts some limitations in...in that particular area. This puts some definite limitations in the area of pharmacists to expand their practice into therapeutic prescribing. I...it's not necessarily a...a bad idea but I just think it's a bad direction to be headed and I don't know that we should be doing that at this time.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just one question, Mr. President, of the sponsor.

PRESIDENT:

Sponsor indicates he will yield, Senator Marovitz.

SENATOR MAROVITZ:

I was told by the lobbyist...on behalf of this bill that this bill affected therapeutic substitution but in no way affected generic substitution. It's going to be an A and B question, I guess. A, is that true?

PRESIDENT:

Senator Jones.

SENATOR JONES:

You are correct.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

If you find or the staff people find or the Governor finds that this in any way affects our current generic substitution law, will you commit to this Body to recommend to the Governor that he amendatorily veto that portion affecting

generic substitution out of the bill?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, currently, what is in the legislation is why I'm sponsor, but if there's a problem as such and if...if the intent of the legislation is not as it has been presented or written, then I will do the appropriate thing if necessary.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Will the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator...

SENATOR BARKHAUSEN:

...Senator Jones,...can you tell me how many HMO's there are that are now organized under the Statute providing for a voluntarily health service plans and providing for some degree of immunity for those plans?

PRESIDENT:

Senator Jones.

SENATOR JONES:

There are three.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Do you know the names of them?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Wait a minute...a correction on your first question. There's approximately nine to your first question...and can you repeat your second question?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

I had thought that your...your first answer was correct...that there are three. My...my question and concern is...is whether you can tell me whether this eliminates the immunity for all HMO's that previously were guaranteed statutory immunity from liability suits?

PRESIDENT:

Senator Jones. Senator Jones.

SENATOR JONES:

Yeah, the only group that...is...is exempt would be the Union Health Service but it does take away the immunity for all the others.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Can you tell me why the provisions of this Conference Committee Report maintain the immunity for one HMO organized under...as a voluntary health service plan and apparently not for the others?

PRESIDENT:

Senator Jones.

SENATOR JONES:

Because it is a not-for-profit and it's not owned by a hospital.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, my...my concern, Mr. President and members, is that we're...in attempts to reach some sort of a political compromise, we've taken...we've taken two out of three...as I understand it, there are three HMO's that are organized as voluntary health service plans that have been provided with statutory immunity for...for a very good reason under legis-



lation dating back to 1951, and rather than changing the rules for all three of them, we're only...we're only changing the rules for two of them. My concern is that this aspect of the Conference Committee Report represents a form of...of special legislation and I suspect if...if challenged, the courts might find that that...that that conclusion is correct.

PRESIDENT:

Senator Jones may close.

SENATOR JONES:

Well, thank you, Mr. President and members of the Senate. In response to the...the...the last speaker on this subject matter, the hospitals that this immunity is...is being taken away from, they...the doctors that work for the hospitals are employees as such. There would be one that you're speaking of that we did not take it away is just a service organization but the provisions in this piece of legislation...is good. It takes care of the problem that we have as it relate to HMO's, and I ask for a favorable vote on this Conference Committee Report.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on House Bill 3806. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, no Nays, 2 voting Present. The Senate does adopt the Conference Committee Report on House Bill 3806 and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee Reports is Senate Bill 1532, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1532.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is a very simple, noncontroversial bill we sent over to the House to allow a small community in western Lake County the opportunity to vote on...becoming a municipality. As usually happens with that particular bill, which is totally noncontroversial I...I think, the...it picked up a lot of other bills, none of which I think are particularly controversial, all of which deal with local government. Most of them, frankly, are ideas that didn't make it through the process but are not considered controversial. It did however pick up one amendment which would allow the...a county to receive the proceeds from abandoned property in its possession instead of the pension funds, and the pension fund people I think correctly took umbrage at that and we requested a conference committee and that provision was deleted, I think, by mutual agreement. And as happens then with conference committees, we then picked up some additional legislation that had been identified in the final hours of the Session to solve some other problems; specifically one provision that would allow a county to have zoning over a gravel pit in connection with a sod farm, that's in response to a court decision or someone was turned down permission to operate a gravel pit so he just said, well, I'm digging this hole to...have water for my sod farm and operated the gravel pit anyway and the court said that was okay; a second provision which would allow the establishment of a less stringent set of street requirements for subdivision roads in existence before 1959 by three-fifths vote of the county board and acceptance of the township road commissioner. Another allows a township official to be appointed a fire protection district trustee. I guess there's some sort of a conflict there. And the final provision legitimizes a court security fee which apparently is being collected but

there's some question as to whether it's properly authorized. I'd be happy to answer any questions. I don't believe there's any provisions in the bill that are controversial.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1532. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 10 Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1532 and the bill having received the required constitutional majority is declared passed. 1581, Senator Joyce. On the Order of Conference Committee Reports is Conference Committee Report on Senate Bill 1581. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1581.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This Conference Committee Report deals with creating an airport authority in Kankakee County. Amendments 1 and 2 increased to twenty-five million dollar...increased twenty-five million dollars the GO bonding for airport noise abatement in Cook County for hospitals and schools and dwellings...not only in Cook County, I should restate that, in Cook County or partially...wholly or partially in Cook County. The third amendment is a technical amendment. It...and the fourth amendment defines the area that the airport authority is to be set up in is...is in Kankakee County and the...and...and it also sets up the authority and defines the powers and duties, and the Conference Committee Report also includes...says that you can't

create or construct any airport hazard which obstructs or restricts a landing area that serves, one, twenty or more based aircraft and, two, is located within the metropolitan region. This is for Representative Cowlshaw. If you have any...

PRESIDENT:

Discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Reluctantly, I rise in opposition to this Conference Committee Report, and for those of you who might be tempted to vote for this, I have to advise you that there is a consequence here that you might not be aware of. And that is that on July 20th...may I have your attention, please?

PRESIDENT:

All right. I'm going to have to ask our guests to please take their conversations off the Floor and again request to the staff that if they have any staff work to be done, take that off the Floor. Senator DeAngelis.

SENATOR DeANGELIS:

On July 20th, the policy committee is going to make a decision on whether we should continue the study and create the master plan for a third regional airport. For those of you who might be tempted on that twenty-five million, let me point out to you the reason that this bill is in conference is because there was an attempt to take that part off and when that failed it was left on there with the hopes of snaring some votes. The reason I bring this to your attention is that in this bill...and like I said, I rise reluctantly in opposition. This bill essentially says, now, we're going to create an authority and the authority is going to be in a particular place and that airport better be in that place because that's exactly where the airport authority is. On that policy committee vote, we will need the vote of

the State of Indiana, and if Indiana votes No, the third airport goes bye-bye and, frankly, there are no votes to spare. In the initial study it said there were three sites that ought to be studied; one is Gary, one is a bistate site and the other one is Kankakee. As far as I am concerned, I am at this point supportive of all three, but I really do believe that we could very well be sending a signal with this Conference Committee Report that...we are only backing a one site and, frankly, I do not find that site, Senator Joyce, objectionable, I told you that previously and I will continue to say that, but the fact is that we are jeopardizing the opportunity for a third airport. I would like to have your opposition to the First Conference Committee Report on 1581.

PRESIDENT:

Further discussion? Further discussion? Senator Joyce, you wish to close?

SENATOR JEROME JOYCE:

Thank you, Mr. President. Senator DeAngelis, nowhere in this bill does it say...mention anything about this being the site. All this does is give a community, a county an opportunity to create a third major airport as well as increasing the bonding to twenty-five million dollars for airport noise abatement programs. I might point out to you, you say you...you are in favor of any one of the three sites. Well, I have a Senate resolution that was put in by you and Senator Kelly saying that you would ask this General Assembly...this Senate to approve any one of the four sites. Now, I want to tell you,...one of those is in Gary, Indiana. Now, what in the world we in this...this State Senate of Illinois are saying that we want to approve a site in Gary, Indiana for is beyond me, and why we would say, well, we're going to approve...if they recommend the Gary, Indiana site, we'll take that and then to say in the bistate site...now bistate site. I ask you, we have trouble enough dealing with air-

ports in one state, how in the world are we going to do...deal with two state governments over an airport? One state is going to be saying, well, I want the terminals in my state because we're going to get the taxes. Senator Hall had a...a bill here this year that we couldn't pass appointing members to a bistrate. We'll have to appoint members, they'll have to appoint members and we'll be fighting over it because they'll be getting more tax than we will and so forth. So I don't think that argument holds up and...and aside from that, this doesn't have anything to do with that. All this says is that we would create an airport authority in Kankakee County and I'd certainly ask for an Aye vote.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1581. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 29 Ayes, 23 Nays, 3 voting Present. The Conference Committee Report is not adopted and the Secretary shall so inform the House and Senator Joyce requests the formation of a second conference committee. All right, ladies and gentlemen, with leave of the Body, we'll move to Senate Supplemental Calendar No. 5. The bottom of Supplemental Calendar No. 5 on the Order of Conference Committee Reports, there's a Conference Committee Report on Senate...Senator Dunn, for what purpose do you seek recognition?

SENATOR THOMAS DUNN:

May I have personal privilege, Mr. President?

PRESIDENT:

State...

SENATOR THOMAS DUNN:

On Senate Bill 1532, I inadvertently voted Yes and I wish to be recorded as an Aye vote.

PRESIDENT:

The record...

SENATOR THOMAS DUNN:

Excuse me, I wish to be recorded as a No vote.

PRESIDENT:

All right. The record will so reflect, Senator Dunn. On the Order of Conference Committee Reports, Supplemental Calendar No. 5, there's a Conference Committee Report on Senate Bill 2202. 2-2-0-2, Mr. Secretary.

END OF REEL

REEL #5

ASSISTANT SECRETARY: (MR. HARRY)

(Machine cutoff)...Conference Committee Report on Senate Bill 2202.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Well,...it's the last of the ninth, we hope the bases are loaded, they are about to turn the lights off in Comiskey Park. 2202 amends various Acts pertaining to the Illinois Sports' Facilities Authority. This bill has been discussed at length in all of our caucuses. Let me try to identify the differences from what we saw in '86. The city and the state will contribute an amount not to exceed five million dollars each year, the city's coming from its local government distributive funds which comes from our income tax and the State of Illinois' five million capped would be the hotel...from the Hotel Receipts Tax. DCCA and ISFA, the Illinois Sports' Facility Authority, estimate the current economic activity generated by baseball teams to be between a hundred and thirty and a hundred and sixty million dollars. The Sports' Facility Authority's budget will call for eighteen million dollars a year, five from the city, five from the state, the remainder from the two percent hotel tax we established in Chicago two years ago. That tax is estimated to garner nine million dollars this year, increase ten percent each year. So, in...1991, when the stadium is completed, the tax would be eleven million, the cost would be eighteen million, the share from the city and state would then slip to four million. My community's concern with the Sox plan for a new stadium has been one of relocation. Those



have been resolved in the bill. For ninety years Chicago has been a two-team town. Cities a fraction of our size are building or making plans to build sports stadiums. Twenty-two of the twenty-six baseball stadiums now in existence have either municipal or public funding. I ask you how Chicago and Illinois will look to the tourists, the residents and the fans if we allow less...a city less in size, less in spirit and less in sport's tradition to steal our White Sox. Be happy to answer questions.

PRESIDENT:

Discussion? Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I like baseball, I'd like to see the White Sox stay here even though its owners were running back and forth to St. Petersburg, and I like St. Petersburg, but I don't think the White Sox belong in St. Petersburg, I...I think they belong here. I'm concerned about keeping them here because they can bring about five thousand jobs, and when you figure out at ten thousand dollars a year that makes fifty million dollars. Fifty...million dollars coming into Illinois can have a lot...social services, help a lot in education. I understand that the lease that they are going to have to sign if we go along is a twenty-year lease with a...with...with the complete item in it that says they cannot transfer the location of the team for twenty years which I think is a good safeguard. I also understand that the five million dollars will come mostly from the Hotel-Motel Tax of Chicago. I've had letters pro and con on keeping the White Sox here and what have you. I feel that if we do keep the White Sox here we can increase the income to the state, we can help our...needed social services and I think we are following the tradition being a big state and a good state and a well-known state and an important state by having and retaining two good

baseball teams, I think we can show that we do have pride in our home community. I, for one, would like to see them stay. My constituents, for the most part, would like to see White Sox stay in Illinois, and I think there's good reason for them to stay and it won't be a costly thing to the taxpayers of Illinois. So, I do urge your favorable consideration of Senate Bill 2202.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, I think some of you know that I had some reservations about this matter before it became...came to this stage in the game and my concerns were addressed and I appreciate the way they were addressed, and my caucus was prepared to vote favorably on this bill. I must warn, however, that the vote on that last bill did jeopardize this bill, it does have some effect insofar as black caucuses are concerned. We tied together these two issues for the City of Chicago, one of them being education, the other being economic development with the White Sox. So, while I rise in support of this bill, I must...I must warn those sponsors and those who are interested in this bill that there is a direct connection between this and education, and I cannot predict its outcome. Thank you, Mr. President.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise in support of conference committee on Senate Bill 2202. And let me try to put this in a perspective, it's going to be a tough vote and I think...in most instances the minds are made up. But this afternoon on Senate Bill 2993 we passed a bill that would authorize the expenditure of sixty million dollars to buy a

team and still...and still not have a stadium. Now let me portray to you two scenarios, in both instances worst case scenarios. Let's take 1993 and not building another stadium, just leaving Comiskey Park the way it is, negotiating with the team and then finding out we can't sell the stock and having to pay sixty million dollars up front. Let's take the scenario on the 2202. Worst case, we issue the bonds, the White Sox don't draw flies, McCormick Place burns down, every hotel in the City of Chicago shuts down. It's five million per year over twenty years, and if you take sixty million dollars present value forward, it's a hell of a lot more than five million over twenty years. Plus, you got a new stadium. Now, let's take best case scenario. You...you go ahead and you buy the team for sixty million and you sell the stock for sixty million, you have zero investment in the team but you still got to build the stadium. Okay? Now, let me give you the best case scenario...no, I'm not going to give you the best case, I'm going to give you average case scenario. We turn around, we put the five million in, the Hotel-Motel Tax comes in, we collect zero from parking, we collect zero from admissions, we collect zero from advertising, we collect zero from media and we have to buy the tickets for the eleventh to the twelfth year, three thousand...three hundred thousand tickets a year. At the end of year 2010, we, in the City of Chicago, split ninety-three million dollars over that period of time above what we put in. That is a scenario in which...it's not even best case scenario, 'cause it indicates the White Sox don't draw over a million two. It indicates the White Sox TV doesn't sell for more than 5.8 million. Now, I know why 1993 was a popular vote, because we can go back home and tell the people the State of Illinois was not going to invest any money 'cause we were going to sell the stock to somebody else. Well, I'm not so sure anybody else would buy it. But I'm not so sure the team would agree to

sell and I'm not so sure the league would allow you to do it. I know that this is the kind of year in which it is difficult to justify expenditures for a sport's facility when we have other needs. But let me also remind you, this...this is coming from a hotel tax, and that I think in the process of perhaps risking the wrath of voters, we have, in fact, put in a long-term investment for the State of Illinois, but we can also maintain the pride that we did not in a very cavalier fashion decide to send off into the sunset a team that a lot of us appreciate and would like to see stay here. I urge your support for Senate Bill 2202.

PRESIDENT:

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I have been prepared to vote No on this issue as late as this morning, in fact, even this afternoon, but I've had a conscience problem and I know that I'm not the only one that's had that conscience problem. I...I'm going to vote for this 'cause I believe in it, that we should make every effort to keep the White Sox in Chicago. I know I'm going to have a better conscience when I leave this General Assembly to know that I was on...on the Yes vote for keeping the White Sox here, and I happen to not feel very comfortable or sure that they're going to stay here, that they're not going to go to St. Petersburg. But as I understand it, Senator Degnan, this is not the taxpayers' money of Illinois, this is taxes which are being raised from hotel and motel taxes which are mostly all out-of-state people. And, if that's the case, I think we could all justify that. I'm going to justify it not just for that issue but that helps it a lot, I'm going to vote for it.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates he will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, our...our analysis makes reference to the fact that the...the relocation and assistance language is being addressed in some other bills, one that Senator Rock handled earlier today dealing with TIF districts. And basically what...what that bill does is address or...or put limits on what collections can be made on...on behalf of cities around the state...of TIF money. And I'm curious to know if...if TIF money is intended to be used in this project in some way. Could you explain how that...how that ties in?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

...yes. This does not include...this is not a TIF district, includes no TIF money. I think you may be confused with the Bears issue which was...talked about earlier...today.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I...I'm not sure about that, I'm only reacting to what appears in our analysis, Senator. But...but are you saying that there is no...that there will be...no use of TIF district monies in this project?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Correct, no use of TIF district monies.

PRESIDENT:

Further discussion? Further discussion? Senator

Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Well, the fact of the matter is, this is the only chance to save the Sox or tomorrow they will be in St. Petersburg. This is the only chance to save the Sox. And the problem with this deal, as Senator DeAngelis said and Senate Degnan, is one of perception versus reality. There have been a lot of misconceptions about this bill, the dollars spent on this bill, where the dollars come from and whether the owners want to stay as opposed to the reality. And as Senator DeAngelis has said, the reality of the situation is that over the twenty-year time of this lease the State of Illinois is going to make millions of dollars on this deal; short-term investment for a very substantial long-term gain for the taxpayers of the State of Illinois. This is a two percent Hotel-Motel Tax, it's not money that could go for schools or for mental health, all things that are needed in this state. We're going to share in gate receipts, parking, concessions, radio and TV, advertising, that's how the State of Illinois is going to make its money. You take a look at the other cities in this country that have lost franchises, Baltimore lost the Colts, Washington lost the Senators and St. Louis lost the Cardinals. And I hate to think about Illinois being in the same category as those states and Chicago being in the same category as those cities. And at a time when we are trying to attract business and industry to the State of Illinois, conventions and more tourism dollars, this certainly sends out the wrong signal that Illinois isn't a state that works to keep its own. I think this would be a very sad day and one that we'll all remember if this Body doesn't stand up and do something to keep a historic franchise. It doesn't matter if you're a Sox fan, a Cardinal fan, a Cub fan or a baseball fan. But if you love the city

and you love the state, you really don't want to be part of something like this because...it's a day that will long be remembered, and it is a deal that costs very little and the rewards are very great. And I hope that the rewards will be great when we pass this bill.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. I rise reluctantly in favor of this Conference Committee Report, but only because one reason, that it makes long-term good fiscal sense but, on the other hand, it is what I consider to be very bad social and political policy in that we have not addressed one of the most critical issues that the people of this state considers to be a top priority and that is the whole question of education reform and funding for education. And it is going to be difficult to explain back home to my constituents, and it's also difficult for me to go home tonight and sleep after voting for this bill without having resolved what the citizens of this state and what I perceive to be one of the most critical priorities and that is the whole question of education. I'm going to vote for this bill, but I'm going to vote for this bill for one reason, and that is because I have been assured that before we leave here that we will, in fact, address the issue of education reform. And I hope that my colleagues understand that I am voting for this bill only for that reason.

PRESIDENT:

Further discussion? Further discussion? Senator Degnan may close.

SENATOR DEGNAN:

Thank you, Mr. President. I believe we're both racing the clock and St. Petersburg at this juncture. So I would hope that we have in this Chamber a combination of thirty Sox

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fans, Chicago boosters or Illinois fans. Thank you, very much.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 2202. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, there are 30 Ayes, 26 Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 2202 and the bill having received the required constitutional majority is declared passed. Ladies and gentlemen, we have about an additional twenty minutes with the simple majority vote requirement if anybody has got anything they want to do. Yes. (Machine cutoff)...Marovitz, for what purpose do you arise?

SENATOR MAROVITZ:

Having voted on the prevailing side, I move to reconsider the vote by which Conference Committee Report No. 1 to Senate Bill 2208 was adopted.

PRESIDENT:

All right. The gentleman has...

SENATOR MAROVITZ:

2202, I mean...2202.

PRESIDENT:

...moved having voted on the prevailing side has moved to reconsider the vote by which the Conference Committee Report on...Senate Bill 2202 was adopted. Senator DeAngelis moves to lay that motion on the Table. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Senator O'Daniel, that's on Supplemental No. 7, bottom of page 2, where we so abruptly left off. There's a Conference Committee Report on Senate Bill 2028, Mr. Secretary.



ASSISTANT SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 2028.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, I ask that the Senate adopt the First Conference Committee Report...to Senate Bill 2028. This bill has been amended in the House to adopt key recommendations of the Mandates Task Force. Their recommendations included the elimination or alteration of certain Senate mandates upon school districts which are cumbersome or obsolete which include modification of current law to allow school districts to extend payment of school buses over the depreciated life of the vehicle, also elimination of reports which must be issued to regional superintendents that are covered in other sections of the School Code such as curricular reports, also making the...the charge to students for transportation on extracurricular activities permissive rather than required and elimination of duplicate goals of excellence at local levels which are already required at the state level. Also, House Amendment No. 4 clarifies the legislative intent of the original Act. In addition, the conference committee has added the following measures: extending the current scholarships available to qualified...high school vocational education teachers to include qualified junior high vocational education teachers, also expanding...eligibility to seek the elective office of regional superintendents by removing the language requiring superintendent's endorsement of administrative certificates, also establishing a seniority list for educational support personnel to eliminate the confusion over the sequence under current law that...layoffs will take place, also creating optional and regional summertime math-science academies for local gifted children, same as Senate Bill 1563, and clarifi-

cation of time lines for certification of early childhood teachers. I would move for this adoption. If there's any questions, I'll attempt to answer.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the conference committee...I'm sorry, Senator Maitland.

SENATOR MAITLAND:

Thank you, very much Mr. President and members of the Senate. This is a very difficult issue for me tonight. I chaired the Mandates Task Force. I spent about four months of my winter dealing with this along with eight or nine other members, including...including, members of the Senate, the IEA, who were a very, very strong voice on that task force. We worked together to hammer out a report that was accepted by the state board and generally has been accepted by members of this Body. Every one in this Chamber time after time after time have argued about new mandates. Here we are addressing the Mandates Task Force which addresses some of those issues, that's what it was all about and, Senator O'Daniel, you played right into their game. Along with those areas where they agreed, now we come back with new mandates...new mandates. Not a member of this Chamber this year was willing to fund mandates, not a member. And, Senator O'Daniel, you come back here with a report like this that once again places new mandates on your school districts and mine. Shame...shame...shame. This is an IEA ploy that happens every year in the closing hours of the Session and we'll go away from here, most of us not very sharp at this hour of the night, and finally realize when we get back to our districts that, yes, once again, we've done it again, and we say, oh, well, we're sorry. We've got to fully fund those mandates, and then we come back next year and do it once again. Difficult voice vote for me tonight because there's

some good...good measures in here. But we are placing new mandates upon school districts and we are placing new mandates upon the State Board of Education with no new money. Shame...shame...shame, Senator O'Daniel. I rise in strong opposition to Conference Committee Report No. 1 to Senate Bill 2028.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. May I ask a question of the sponsor?

PRESIDENT:

Sponsor indicates he will yield, Senator Kustra.

SENATOR KUSTRA:

Senator O'Daniel, I...I'm just curious about the language in the Conference Committee Report that deals with the requirement that the school districts collect lists of educational support personnel. From your understanding of your bill...your Conference Committee Report, is the term educational support personnel limited to a full-time employee of a school district regularly engaged in educational support services of a nonsupervisory or a nonmanagerial nature?

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Yes, the educational support...personnel shall include but not be limited to noncertified full- and part-time personnel such as custodians, food service personnel and secretaries and transportation personnel.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Did you say shall include but not be limited to? So who else does it include then?

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Well, I suppose it would...it would include any nonteaching...people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President, I have a couple of questions of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Weaver.

SENATOR WEAVER:

Senator, I was just wondering why you're repealing Section 2-3.63 which contains the only reference to excellence and...in the School Code and also repealing Section 27-4 which requires not less than one hour per school week of instruction in American...patriotism and principles of representative government. Why...why are you...why are you repealing these two sections? Through the years we've tried to encourage excellence in...in the schools, and this is the only reference...the only reference in the School Code to excellence in the schools. Can you tell me why you're repealing these two sections?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

The patriotism part is out, the way I understand it, it's taken out of the amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Well, you're repealing Section 27-4 which includes that and you're repealing Section 2-3.63 which takes out the only

reference to excellence in education in the School Code.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Senator Weaver, would you repeat the question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

I'm asking why you're repealing Section 2-3.63 of the School Code which requires school districts to establish student learning objectives and to establish local goals for excellence in education. Now this is the only reference to excellence in the total School Code.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Because it's covered in other areas of the mandates.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

In what other areas? Where is it covered in the School Code? To my knowledge, that's the only section that pertains to excellence in education in the School Code.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

I'm told it's covered under the '85 Education Reform Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver.

SENATOR WEAVER:

Well, that was part of the '85 Reform Act and you're repealing it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

It's covered in other areas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Weaver.

SENATOR WEAVER:

I just wondered what area it is. We just put that in in '85 and now you're repealing it, and I don't know where it's covered in other areas if it's not in the '85 Reform Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

We'll get that information for you, Senator Weaver.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If...if not, Senator O'Daniel may close.

SENATOR O'DANIEL:

I would just ask for an affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 2028. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 25, none voting Present. The conference committee is not adopted and the Secretary will so inform the House. Senator...page 3. Senate Bill 2127, Senator Barkhausen. Mr. Secretary, 2127.

ASSISTANT SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 2127.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this conference committee is...is really simple and straightforward. It's changing

slightly the version of the bill that we passed out of here creating a lien provision for any judgment under the new...tax on illegal drugs that the General Assembly approved last year. The...this additional provision which is being proposed by means of this Conference Committee Report is to make it clear that any lien that is established by virtue of this new law takes...takes a back seat and is secondary to a lien that might be established and enforced under the Narcotics Profit Forfeiture Act and the Criminal Code. I'd be happy to answer any questions but that's all it does and I'd urge your adoption of the report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 2127. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 2127 and the bill having received the required constitutional majority is declared passed. Supplemental Calendar No. 8 has been passed out, Supplemental Calendar No. 8. Supplemental Calendar No. 8, Secretary's Desk Nonconcurrency. (Machine cut-off)...Senator Rock. House Bill 3280, Madam Secretary.

SECRETARY:

Senate Amendments 1, 2, 3, 4, 5, 6, 7 and 8 to House Bill 3280.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Obviously, this is one of the three education appropriation bills that are already in conference and that the

conferees have been meeting. I would move that the Senate refuse to recede from the Senate amendments and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3, 4, 5, 6, 7 and 8 to House Bill 3280 and that a conference committee be appointed. All of those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so...inform the House. House Bill 3281, Senator Berman. On the Order of Secretary's Desk...Nonconcurrency is House Bill 3281, Madam Secretary.

SECRETARY:

Senate Amendments 1, 2 and 4 to House Bill 3281.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we nonconcur in those amendments and that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman has...moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, and 4 to House Bill 3281 and that a conference committee be appointed. All those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. House Bill 3282, Madam Secretary.

SECRETARY:

Senate Amendments 1 and 2 to House Bill 3282.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I would move that the Senate



recede from...Amendments No. 1 and 2 to House Bill 3282.  
This bill is okay and it can go to the Governor's Desk.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...right. Senator Maitland has moved that the Senate recede from the adoption of Senate Amendments 1 and 2 to House Bill 3282. Is there discussion? If not, the question is, shall the Senate recede from the adoption of Senate Amendments 1 and 2 to House Bill 3282. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate recedes from Senate Amendments 1 and 2 to House Bill 3282 and the bill having received the required constitutional majority is declared passed. Conference Committee Reports, Supplemental Calendar No. 8, is House Bill 3085, Senator Savickas. 3085, Madam Secretary.

SECRETARY:

First Corrected Conference Committee Report on House Bill 3085.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Conference Committee Report No. 1 to House Bill 3085 just does basically one thing and that is that it authorizes the Chicago Park District to have two more commissioners. It removes obligation to end the terms of the present members and just adds two members with an effective date...and it would an immediate effective date. I would move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Savickas...is there discussion? The question is, shall the Senate adopt the First Conference Committee Report on House Bill 3085. Those in favor will

vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question,...the...the...the Yeas are 38, the Nays are 12, 6 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3085 and the bill having received the required constitutional majority is declared passed. House Bill 3464, Senator Etheredge. On the Order of...Conference Committee Reports is House Bill 3464, Madam Secretary.

SECRETARY:

First Conference Committee Report on House Bill 3464.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This Conference Committee Report does two things, now we'll start with the second part. It contains the provisions of Senate Bill 1906 which passed out of here with...earlier this Session...what that bill...but got tangled up over in the House. What the bill does is to raise the operation, buildings and maintenance purposes levy for school districts...unit districts over a four-year period by a total of twelve and a half cents per hundred dollars assessed evaluation. And it is...that provision is subject to a back-door referendum. The Conference Committee Report also contains the content of House Bill 3464 as we sent it out of here about ten days ago. That provision applies to certain community college districts and it permits those districts to levy a tax...with...without referendum...under certain very prescribed circumstances. It says that if those districts have tax rates that are below the state average and for a period of three years, then the community college board would certify the fact that they do have those low tax rates, and if at that...after being certified by the state community

college board, if that board chooses to levy a tax, it may make that decision; then after having made that decision, it can...levy seventy-five percent of the difference between their levy rate and the statewide average. I'd be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 3464. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 18, 2 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3464 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. The hour of midnight having arrived, obviously, the vote requirement has changed, and Senator Philip and I both indicated that at midnight we would adjourn until ten o'clock tomorrow morning. So, I so move.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved that the Senate stand adjourned till tomorrow morning at the hour of ten o'clock. The Senate stands adjourned.

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